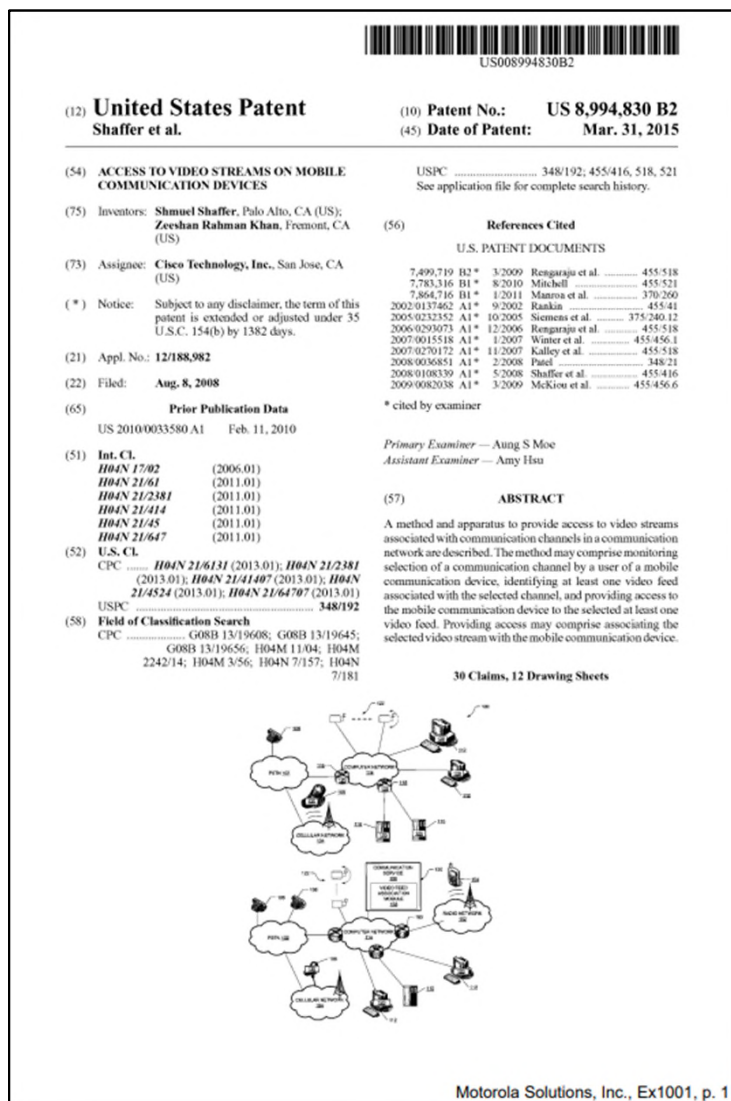


Petitioner Motorola Solutions, Inc.'s Presentation for Oral Argument in IPR2023-01295

January 21, 2025

Overview – U.S. Patent No. 8,994,830 ('830 Patent)



Ex[1001] Cover, Code (54), (22).

Access to Video Streams on Mobile Communication Devices

Assumed Priority Date: August 8, 2008

(57)

ABSTRACT

A method and apparatus to provide access to video streams associated with communication channels in a communication network are described. The method may comprise monitoring selection of a communication channel by a user of a mobile communication device, identifying at least one video feed associated with the selected channel, and providing access to the mobile communication device to the selected at least one video feed. Providing access may comprise associating the selected video stream with the mobile communication device.

Ex[1001] Abstract.

Overview – '830 Patent

Summary: A communication system includes “communication channels” connecting devices used by “public safety and first responders” in a “virtual talk group” (“VTG”), which the '830 Patent does not claim to have invented.

Various communication endpoints (e.g., the telephones 106, the mobile phones 108, the VoIP phones 110, the PTT radios 154, and the computers 112) may participate in communications in a particular virtual talk group (VTG). The

Ex[1001], 5:34–44.

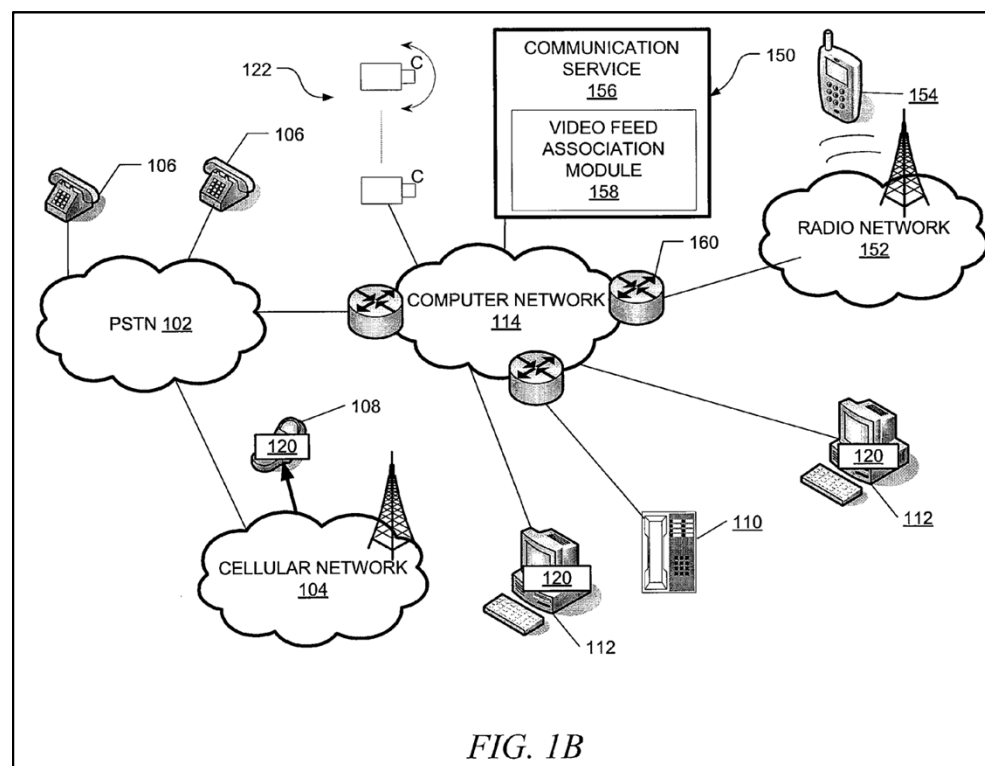
cameras 122) transmitted over the computer network 114 with one or more communication channels (e.g., audio channels in a radio network). In an example embodiment, the

full duplex communications). For example, the communication system 150 may facilitate communication between the PTT radios 154 (e.g., ultra high frequency (UHF) radios, very high frequency (VHF) radios, and other push-to-talk radios) via the radio network 152 and telephony endpoints (e.g., the telephones 106) of the PSTN 102. In another example embodiment, the communication system 150 can facilitate communication between the push-to-talk radio 154 of the radio network 152 and the VoIP phones 110 or a software client residing on the computers 112. The communication

Ex[1001], 3:8-10, 3:63-4:5.

Pet. at 10-12.

Ex[1001], 2:31-44; 3:37-44, 6:18-21, 7:39-42; Ex[1002], ¶¶39-40.



Ex[1001] FIG. 1B.

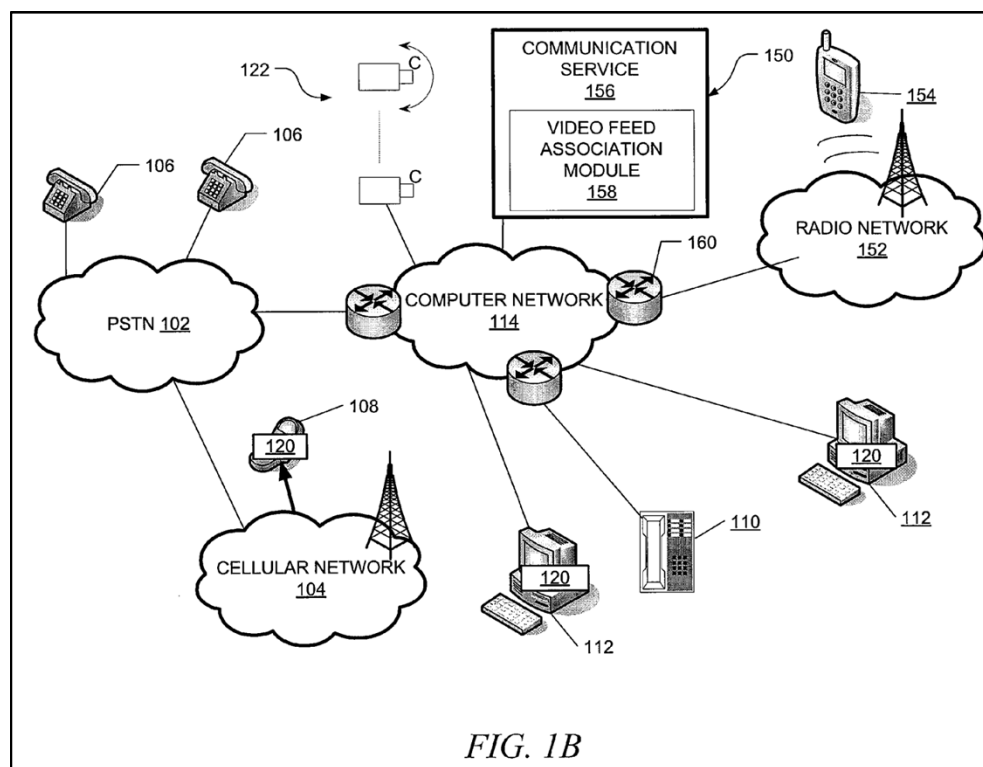
Overview – '830 Patent

Summary: A mobile device is provided access to video feeds based on a “user policy” that filters the video feeds to “only those video feeds that are of particular interest to a user.”

In an example embodiment, the policy module 312 may analyze a current location of the users 305.1-305.q. As one or more users 305.1-305.q approach a location from which specific video feed is originating (e.g., a video feed from a camera 122 pointed at a junction towards which a fire-truck is heading, the policy module 312 may automatically associate the video feed from the relevant camera 122 with the communication channels of the fire truck and render access to this video feed to all other members of a fire-truck VTG. In an

work. Only a limited number of video feeds may be associated with a VTG and video feeds that are not relevant to operations associated with a particular VTG may be filtered. Accordingly, in an example embodiment, the example methods described herein may provide automated control of access by PSFR and ERT team members to video surveillance streams. In an example embodiment, by controlling the video feeds to which ERT personnel have access, the system 300 may automatically facilitate access only to relevant video streams while reducing the information overload to the end user. By limiting the access to non-relevant video streams, information overload is at least reduced thus enhancing the efficiency of ERT personnel.

Ex[1001], 2:11-13, 3:3-15, 5:60-64, 7:47-49; Ex[1002], ¶¶39-40.



Ex[1001] FIG. 1B.

Ex[1001], 6:3-13, 7:47-57.

Pet. at 10-12.

Overview – '830 Patent

Summary: A user can select a particular VTG in which to participate using a mobile device user interface.

Ex[1001], 10:7-14, Fig. 9; Ex[1002], ¶41.

FIG. 9 shows a GUI 900 in accordance with an example embodiment, to allow a user to select a communication frequency associated with a communication channel. The GUI 900 is shown to include a plurality of channel identifiers 902.1-902.s, each of which has an associated frequency drop-down menu (see drop-down menu 904.s). For example, when

Ex[1001], 9:60-65.

ated with one or more emergency response teams. When a particular frequency is selected from the expanded drop-down menu 906, the transmission and receiving frequency of the associated radio base station may be changed accordingly and access to the associated video stream may be granted to the user.

Ex[1001], 10:7-14.

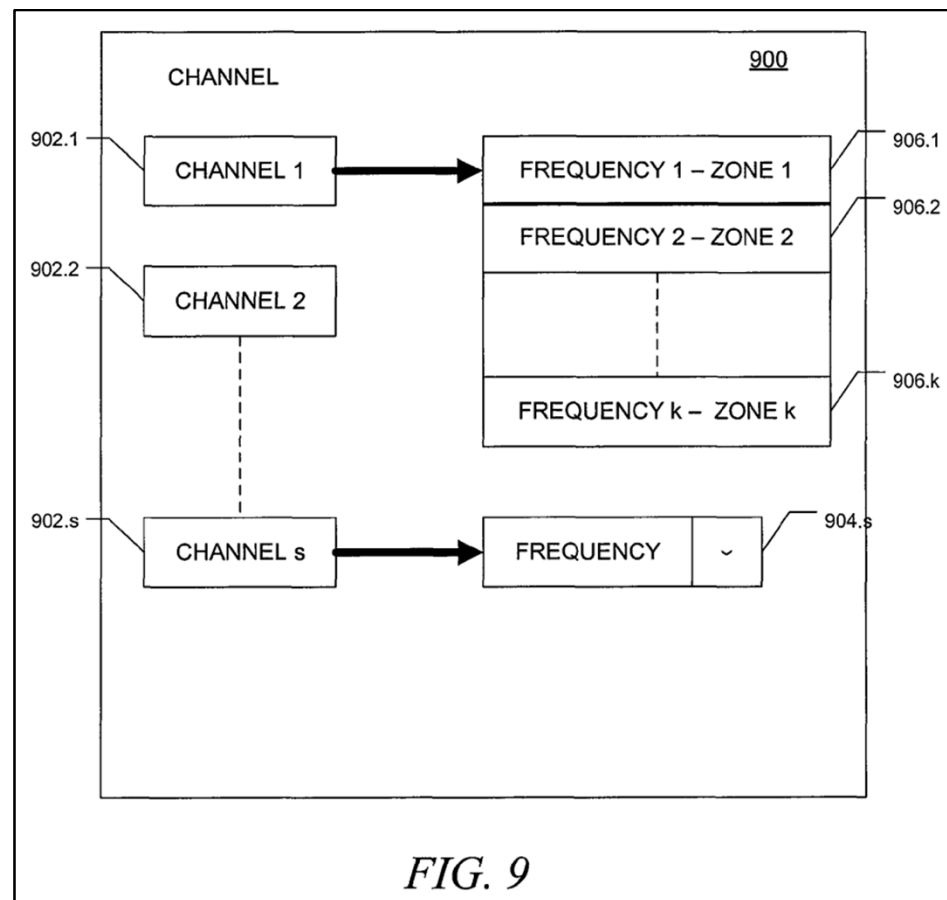


FIG. 9

Ex[1001] FIG. 9.

Overview – '830 Patent Prosecution History

- The Challenged Claims were rejected multiple times in view of the prior art and were only allowed when applicants added the requirements of **frequency display** and **selection** to the independent claims.

1. (Currently Amended) A method comprising:
monitoring a selection of a communication channel by a user of a mobile communication device;
providing a plurality of radio frequencies on a display of the mobile communication device, each radio frequency being associated with a geographical zone from which a plurality of video feeds associated with the geographic zone are sourced;
monitoring a selection of a radio frequency of the plurality of radio frequencies by the user;
identifying at least one video feed by selecting the at least one video feed from the plurality of video feeds associated with the geographic zone, wherein the at least one video feed is associated with the selected communication channel based on a user policy that identifies one or more video feeds that are relevant to the user when the user accesses the selected communication channel, the one or more video feeds being independent of the selected communication channel; and
providing access to the identified at least one video feed to the mobile communication device based on the user policy.

Ex[1003], p. 108.

Pet. at 13; Ex[1003], pp.108-15, 125-38, 181-92, 237-47, 285- 93, 350-55; Ex[1002], ¶¶43-44.

Overview – Claim 1

Claim 1 of '830 Patent	
1[Pre]	A method comprising:
1[a]	monitoring a selection of a communication channel by a user of a mobile communication device;
1[b]	providing a plurality of radio frequencies on a display of the mobile communication device, each radio frequency being associated with a geographical zone;
1[c]	from which a plurality of video feeds associated with the geographic zone are sourced;
1[d]	monitoring a selection of a radio frequency of the plurality of radio frequencies by the user;
1[e]	identifying at least one video feed by selecting the at least one video feed from the plurality of video feeds associated with the geographic zone, wherein the at least one video feed is associated with the selected communication channel based on a user policy that identifies one or more video feeds that are relevant to the user when the user accesses the selected communication channel,
1[f]	the one or more video feeds being independent of the selected communication channel; and
1[g]	providing access to the identified at least one video feed to the mobile communication device based on the user policy.

Ex[1001] 12:18-39.

Claim Construction - Overview

- In the district court, the parties agreed on an order of steps construction and certain term constructions for independent claim 1, as shown on the next slide.
- The obviousness grounds in the Petition apply under the district court's constructions, including the court's:
 - Plain and ordinary meaning construction of “video stream association module” recited in claim 15; and
 - Construction of “the one of more video feeds being independent of the selected communication channel” (limitation 1[f]/15[h]).
- Neither party has proposed express constructions in this proceeding for any other term.

Claim Construction – Order of Steps Construction

Claim Term/Phrase	Agreed Construction
Order of Steps '830 Patent: Claim 1	The “monitoring a selection of a communication channel” must be performed before the “identifying” step. The “providing a plurality of radio frequencies...” step and the “monitoring a selection of a radio frequency” step must be performed before the “identifying ...” step.
“Push-To-Talk (PTT) channel in a PTT communication network” '830 Patent: Claim 5	“A channel for transmitting half-duplex communications in a Push-to-Talk communication network”

Claim Term/Phrase	District Court Construction
“the one or more video feeds being independent of the selected communication channel” '830 Patent: Claim 1	“the one or more video feeds being capable of being associated with more than the selected communication channel.”
“video stream association module” '830 Patent: Claim 15	Plain and ordinary meaning; not subject to § 112 ¶ 6.

Ex[2005], 14-15, 20-21, 31.

Overview – Instituted Grounds

Ground	Claims	Basis for Challenge
1	1–5, 7-19, 21-24	Obvious under §103 based on Shaffer in view of Saylor
2	1–5, 8-19, 22-24	Obvious under §103 based on Gogic in view of Opitz

Pet. at 9-10.

Level of Ordinary Skill in the Art

- Patent Owner does not dispute the Petition's proposed level of ordinary skill in the art:

V. LEVEL OF ORDINARY SKILL IN THE ART

A person of ordinary skill in the art (“POSITA”) as of August 8, 2008 would have had at least (a) a bachelor’s degree in computer science, electrical engineering, or a similar field, and (b) approximately 2 years industry experience in networking or communication systems, including interoperating different types of networks that include video feeds. Ex[1002], ¶¶45-47. Additional education in electrical engineering or computer science such as a masters or doctorate degree may serve as a substitute for experience in the field. *Id.* A person with less or different education but more relevant practical experience, or vice versa, may also meet this standard. *Id.*

Disputed Issues

Ground 1: Shaffer-Saylor

- Whether there is a motivation to combine Shaffer and Saylor
- Whether Shaffer-Saylor teaches limitations 1[b], 1[d], and 1[e]
- Whether Shaffer-Saylor teaches or renders obvious claims 3 and 17
- Whether Shaffer-Saylor teaches or renders obvious claims 7 and 21

Ground 2: Gogic-Opitz

- Whether Gogic-Opitz teaches or renders obvious limitations 1[a], 1[b]-1[c], and 1[e]
- Whether there is a motivation to combine Gogic and Opitz

**Ground 1: Claims 1–5, 7-19, and 21-24
are obvious over Shaffer in view of
Saylor**

Overview – Asserted References - Shaffer

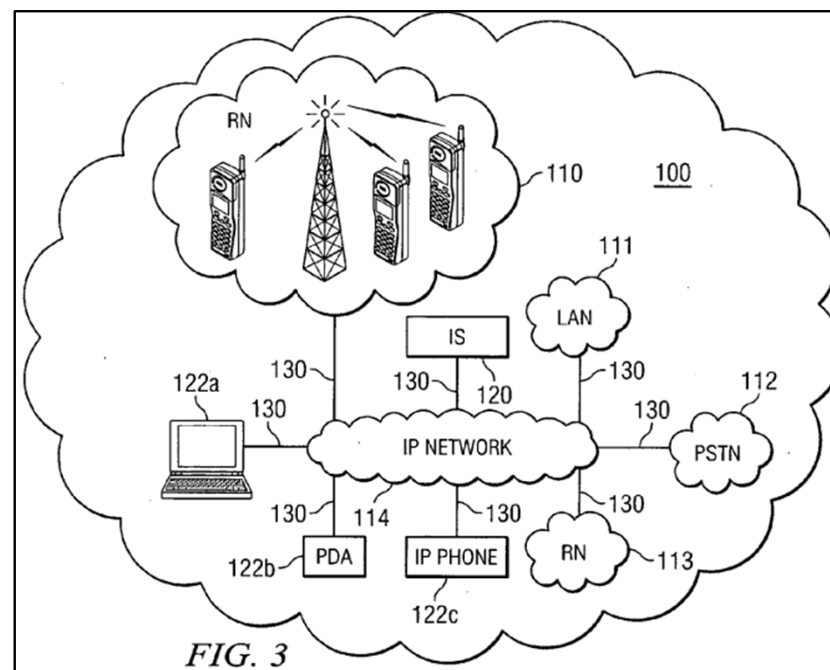
- U.S. Patent Publication No. 2006/0281471 (“Shaffer”) (Ex[1004])
- Like the '830 Patent, Shaffer describes a communication system connecting various devices (endpoints) used by first responders.
- Shaffer also describes that different types of endpoints can be combined by an interoperability service (IS 120) into a virtual talk group.

configurations require, and IS 35 facilitates interoperability between endpoints and devices of various communication networks.

Ex[1004] (Shaffer) [0016].

[0039] As indicated above, IS 120 uses IP to enable communication among endpoints of various networks. For example, IS 120 may communicate with endpoints using multicast IP addresses assigned to an endpoint of a communication network, a group of endpoints of a communication network or one or more endpoints of multiple communication networks or alternatively using a peer to peer dialed connection. For example, a group of endpoints may be

Ex[1004] (Shaffer) [0039].

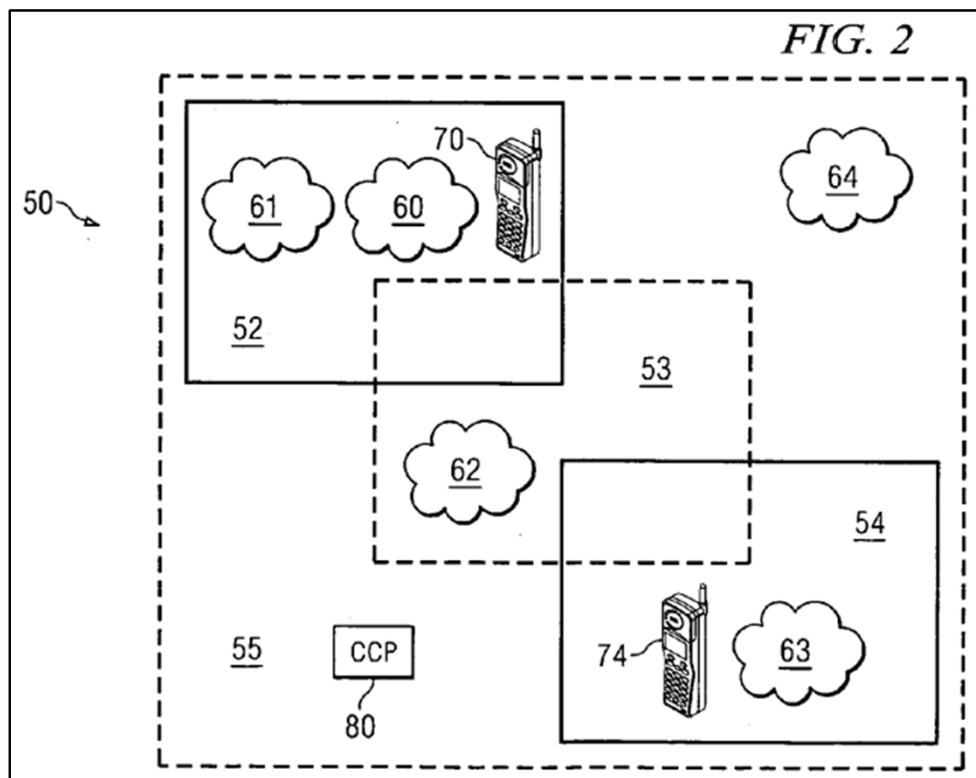


Ex[1004] (Shaffer) FIG. 3.

Pet. at 15-16; Ex[1004] (Shaffer) [0015]-[0020], [0025], [0037]-[0039], Fig. 3; EX [1002], ¶¶69-70.

Overview – Asserted References - Shaffer

- Shaffer describes that endpoints, including video cameras, can be grouped into geographic areas.



Ex[1004] (Shaffer) FIG. 2.

[0026] FIG. 2 illustrates a communication system 50 for communicating using position information, in accordance with a particular embodiment. Communication system 50 includes a plurality of geographic regions 52-55, communication networks 60-64, endpoints 70 and 74 and CCP 80.

[0027] In particular embodiments, geographic regions 52-55 may correspond to buildings, campuses, municipalities, counties, states, countries or any other particular geographical area. As illustrated, geographic area 52 includes

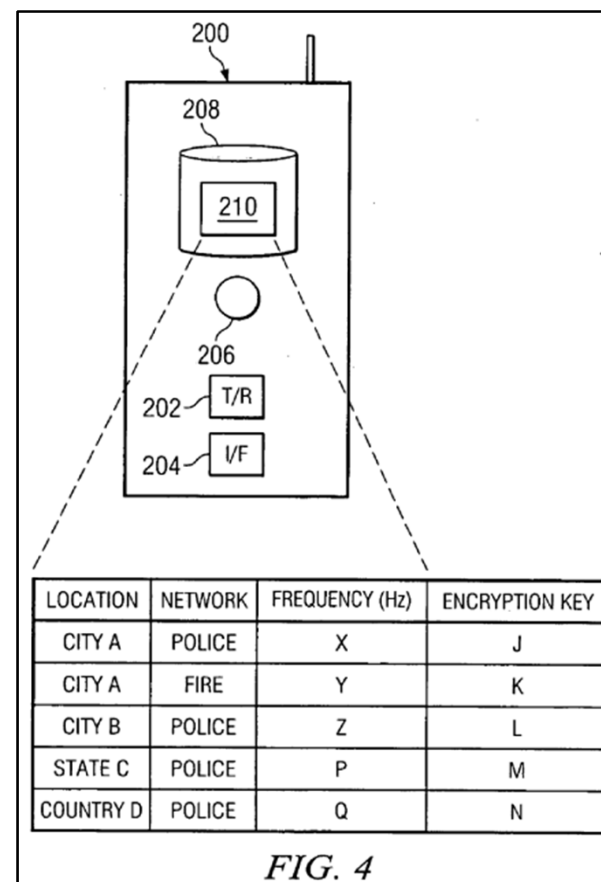
Ex[1004] (Shaffer) [0026]-[0027].

Overview – Asserted References - Shaffer

- Shaffer describes that, as a user of a mobile endpoint travels between locations, the user can select various parameters on the endpoint's display, including:
 - a communication network (e.g., police or fire); and
 - local frequencies for each location (e.g., City A and City B).

[0008] Technical advantages of particular embodiments include providing a mobile endpoint user the ability to communicate, while changing locations, with different communication networks that utilize different communication parameters, such as different radio frequencies, modulation methods and/or encryption keys. As a user moves locations, GPS information may be used to recognize a new location. A user's endpoint may then, either automatically, through specific user command or predefined instructions, alter its communication parameters so that the user may communicate on one or more local or other networks that correspond to the user's location. Accordingly, effort and time associ-

[0032] In some cases the endpoint may be set to automatically switch communication settings upon such a move once the endpoint enters an area of a different or particular communication network. In some cases such a switch may occur through a user interface, such as a user pressing a button to enable the switch. For example, specific buttons



Pet. at 17-18; Ex[1004] (Shaffer) [0008], [0032], [0044], Fig. 4; EX [1002], ¶72.

Ex[1004] (Shaffer) FIG. 4.

Overview – Asserted References - Saylor

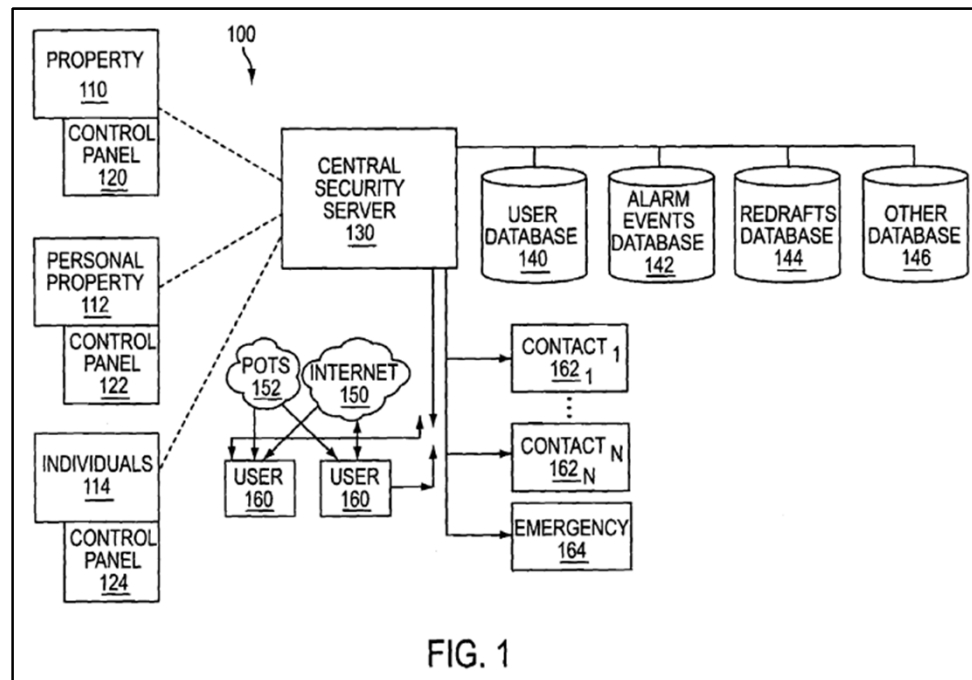
- U.S. Patent No. 7,113,090 (“Saylor”) (Ex[1011])
- Saylor describes a security system that provides “photos, pictures, [and] video” to an end user—e.g., the system notifies a recipient when it detects an “alert notification,” and the notification can include “video clips” from video surveillance cameras.

user’s profile and preferences information. Alert notification may be communicated via the Internet 150, POTS 152, wireless communication portals, voice portals, and/or other methods. Contact individuals and/or entities 161₁–162_N

nication techniques may be implemented. Central security server 130 may then alert users and other identified entities via wireless and/or other devices, such as mobile device 240, via a voice alarm, text message and other notifications. For

Based on user information retrieved from one or more databases 140, 142, 144 and 146, central security network 130 may contact one or more users 160 or other identified contacts 162₁–162_N as specified by the user. Other identified contacts may include neighbors, family members, personal doctors, emergency entities 164, such as the police, fire department, hospital and others.

Ex[1011] (Saylor) 6:22-25, 7:40-43, 9:23-29, FIG. 1.



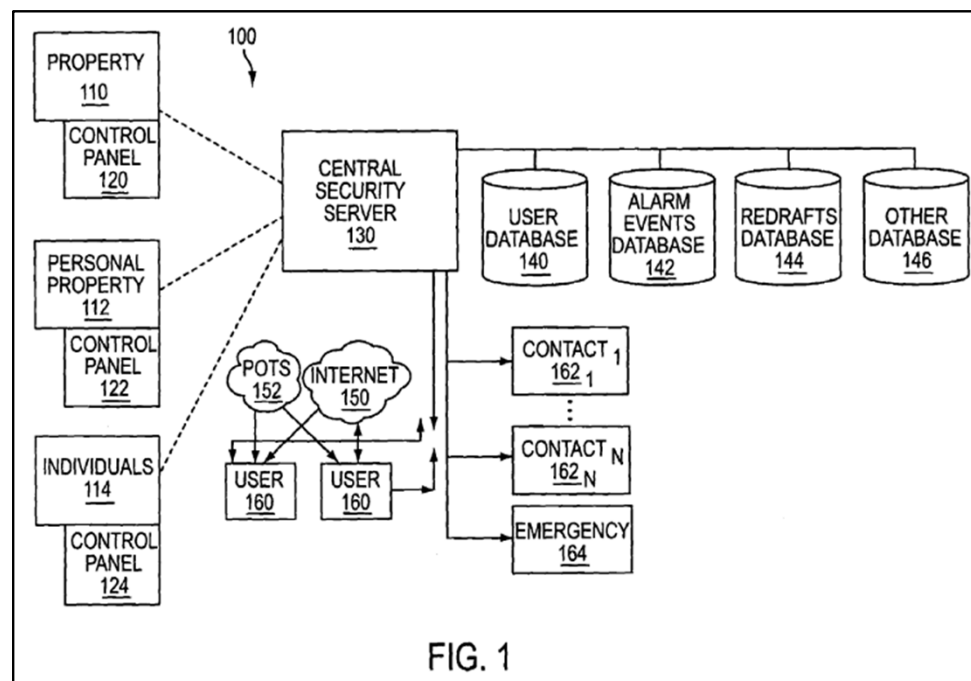
Ex[1011] (Saylor) 8:34-57, FIG. 1.

Pet. at 18-19; Ex[1011] (Saylor) 2:45-55, 5:37-42, 11:67-12:6, 13:51-54, Fig. 1; EX [1002], ¶¶73-74.

Overview – Asserted References - Saylor

- Saylor describes databases 140, 142, 144, and 146 that “store relevant information for [] alarm services.”

Central security network 130 may process the alarm situation. User profile information may be retrieved from user database 140. User database 140 may contain user information, such as profile information, user preferences, contact information, special instructions and/or other information. User profile information may include one or more of name, identification information, address information, and other profile information. User preferences may include mode of communication, order of communication, contact information and other preferences. User preference information may be associated with each security device, group of devices, systems or other combinations. For example, different alarm situations that may be detected in various locations or systems may warrant different levels of response. In addition, a user may maintain a personal address book where contact information (e.g., phone, pager, mobile device, etc.) associated with various individuals may be stored and accessed based on various identified alarm situations and/or potential alarm situations. Special instructions may include information to be conveyed to entities reacting to the alarm for a particular location or object. For example, when a fire detector is activated, the user may want to inform the fire department that the user has two pets living at the user's primary residence. Other instructions for dif-



Ex[1011] (Saylor) 8:34-57, FIG. 1.

Ground 1 – Combination of Shaffer and Saylor

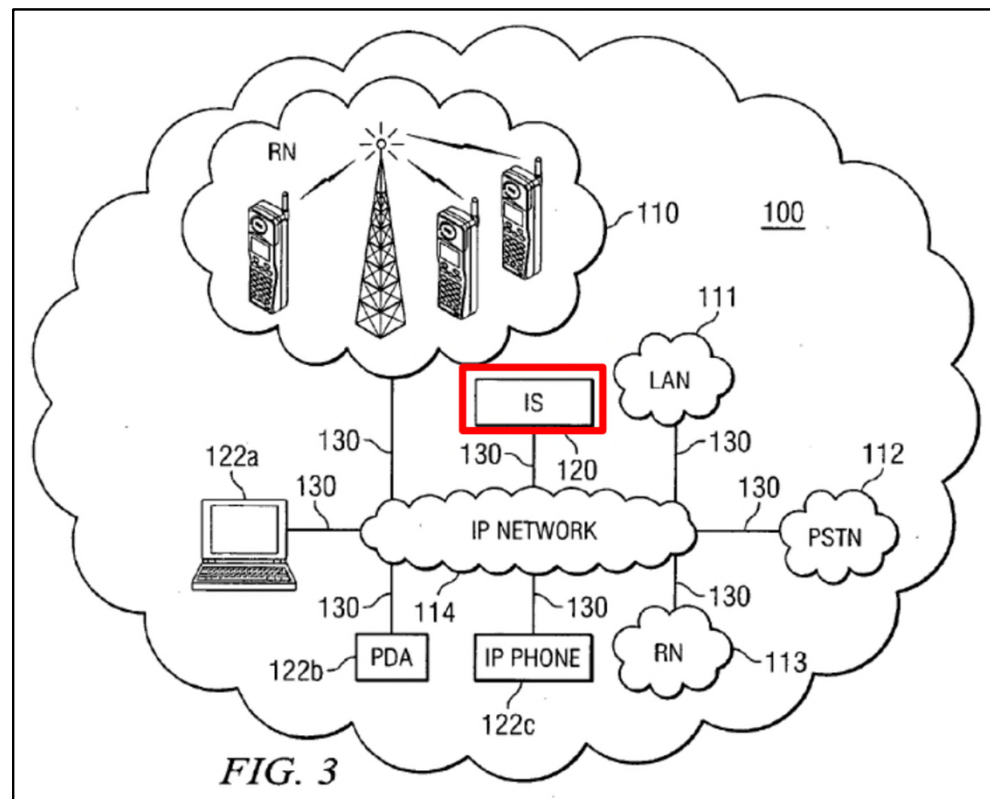
A POSITA would have and could have combined Shaffer with Saylor

- Shaffer's IS 120 allows different networks using different communication protocols (e.g., LAN 111 and radio network 113) to communicate "audio, video, or other data" to each other via an IP network.
- IS 120 can connect different networks and different regions, including different "buildings, campuses, cities, counties, states, countries, or any other particular geographical area."

[0039] As indicated above, IS 120 uses IP to enable communication among endpoints of various networks. For example, IS 120 may communicate with endpoints using multicast IP addresses assigned to an endpoint of a communication network, a group of endpoints of a communication network or one or more endpoints of multiple communication networks or alternatively using a peer to peer dialed connection. For example, a group of endpoints may be combined into a virtual talk group for communication using a particular IP address. The use of multicast IP addresses allows communication devices and endpoints of various communication networks to communicate with each other through IS 120 to provide network interoperability.

Ex[1004] (Shaffer) [0039], Fig. 3 (annotated).

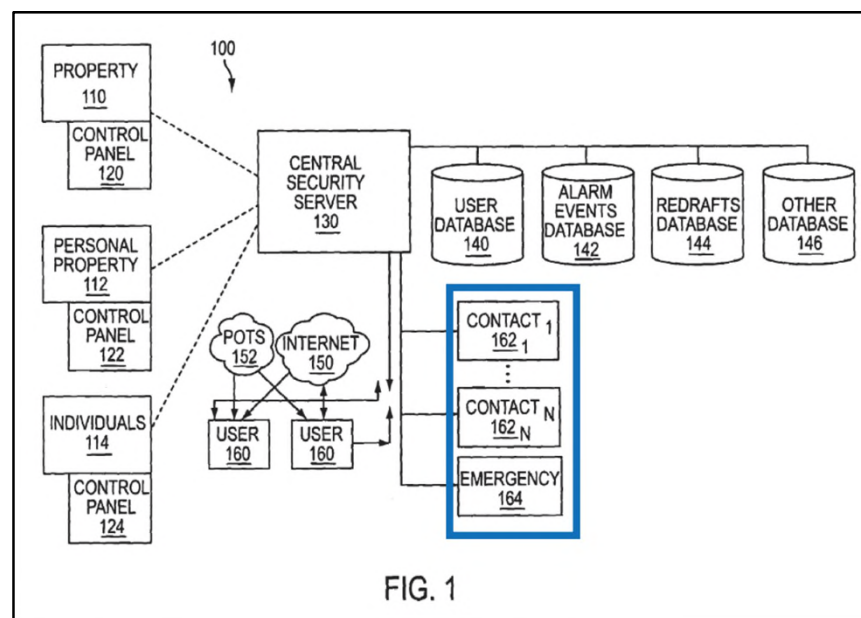
Pet. at 23-24; Ex[1004] (Shaffer) [0021]-[0022], [0038], [0046];
EX [1002], ¶82.



Ground 1 – Combination of Shaffer and Saylor

A POSITA would have and could have combined Shaffer with Saylor

- Saylor discloses a central security network that communicates with other networks—e.g., the security network is configured with rules and preferences to “automatically inform” recipients, such as contacts 162-164, of alarms or emergencies in a monitored building.
- Saylor specifically discloses conveying video or other types of data to entities in other networks over an IP network.



Ex[1011] (Saylor) Fig. 1 (annotated).

Pet. at 25; Ex[1004] (Shaffer) 1:17-22, 2:45- 55, 5:27-36, 5:62-65, 6:22-32, 9:22-28, 17:1-9, Fig. 1; Ex[1002] ¶83.

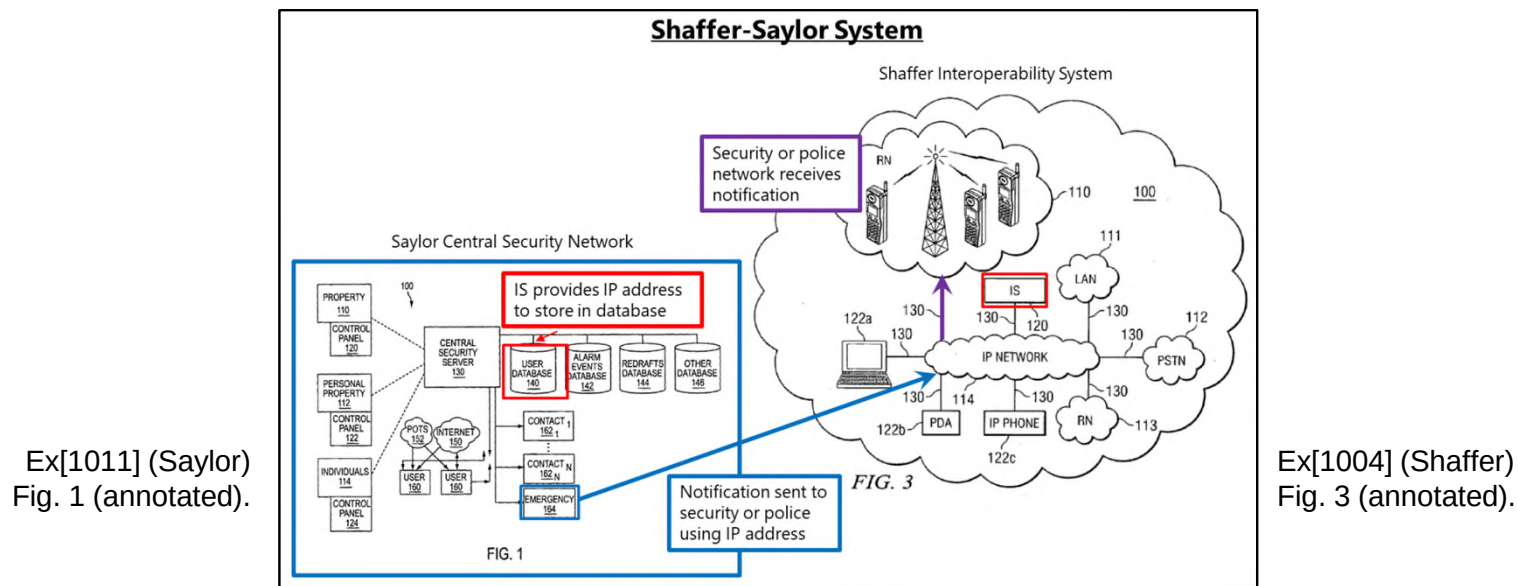
Ground 1 – Combination of Shaffer and Saylor

A POSITA would have and could have combined Shaffer with Saylor

- A POSITA would have been motivated to connect Saylor's central security network as an input to Shaffer's IS, as explained by Dr. Polish:

figure below. In the combined system depicted below ("Shaffer-Saylor"), the IS in Shaffer (shown with a red box in the above figure after paragraph 85) provides the connection from Saylor's central security network to the relevant personnel and authorities in a different network who may respond to an incident (e.g., a building's security personnel or local police in the city where the building is located).

Ex[1002] (Polish Report) ¶84.



Pet. at 25-27; Ex[1004] (Shaffer) [0039]-[0040]; Ex[1011] (Saylor) 9:22-28, 11:67-12:6, 13:51-54; Ex[1002] ¶¶84-85.

Ground 1 – Combination of Shaffer and Saylor

A POSITA would have and could have combined Shaffer with Saylor

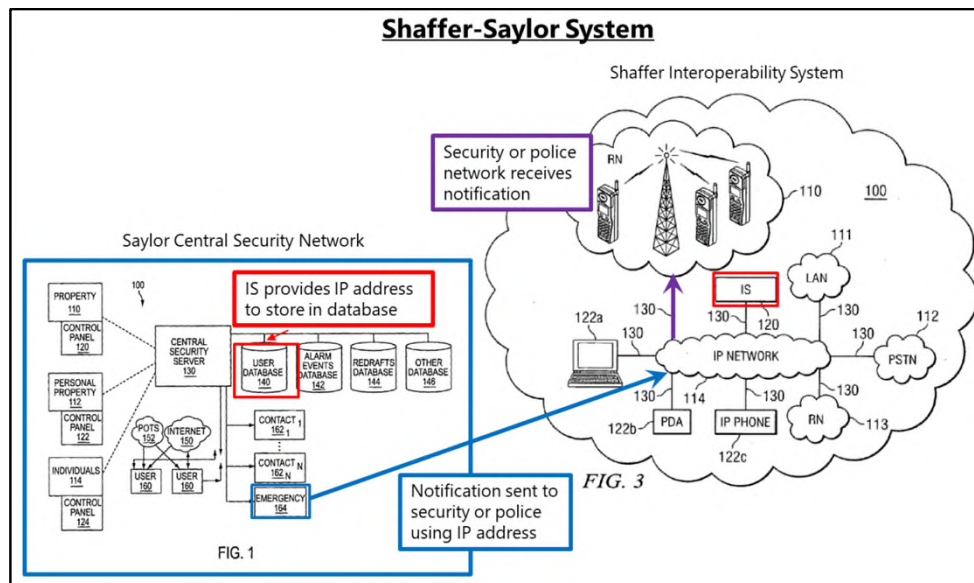
- A POSITA would have been motivated to connect Saylor's central security network as an input to Shaffer's IS, as explained by Dr. Polish:

combined system, the IS of Shaffer would assign a multicast IP address (communication channel) to a particular endpoint or a group of endpoints requiring notification of a particular type of event. E.g., Ex[1004], ¶¶0039-0040 (describing assigning and storing multicast IP addresses). That IP address would have then been stored in Saylor's databases for retrieval and use to contact entities outside of the

security system upon occurrence of an event. For example, in the combined system, when an alarm is triggered in Saylor's central security network, the security network could query its databases to retrieve the relevant IP address of the relevant entities to notify (as provided by Shaffer's IS) and use the address to send the alerts and notifications disclosed in Saylor (blue) to the relevant recipients (purple). Ex[1011],

Ex[1002] (Polish Report) ¶¶85.

Ex[1011] (Saylor)
Fig. 1 (annotated).



Ex[1004] (Shaffer)
Fig. 3 (annotated).

Pet. at 25-27; Ex[1004] (Shaffer) [0039]-[0040]; Ex[1011] (Saylor) 9:22-28, 11:67-12:6, 13:51-54; Ex[1002] ¶¶84-85.

Ground 1 – Combination of Shaffer and Saylor

A POSITA would have and could have combined Shaffer with Saylor

- A motivation to combine is found in both references.
- Shaffer's IS 120 connects various types of networks—e.g., a PTT radio network (typically used by security or emergency personnel) and a LAN or PSTN (typically used by sensors in homes and businesses).
 - The networks can be associated with specific locations—e.g., businesses and campuses.
- Shaffer's IS 120 is well-suited to connect a first network, such as a video security system designed to monitor a particular building, with a second network that responds to incidents in those buildings.

Ground 1 – Combination of Shaffer and Saylor

A POSITA would have and could have combined Shaffer with Saylor

- A POSITA would have recognized that Saylor discloses the type of network well-suited to work with Shaffer's IS.

of network that would be operable with Shaffer's IS. Specifically, Saylor describes a packet-based central security network (using "TCP/IP") that receives alarms from sensors in buildings and other facilities. Ex[1011], 17:10-21, FIG. 11, 6:33-43. The Saylor central security network processes the alarms and, according to rules and preferences, transmits notifications and information to relevant recipients in other networks, including security or emergency personnel in other types of networks with other communication protocols. *Id.*, 6:33-43, 8:18-33, 9:25-28. The notifications and information can include audio, video, or other data. *Id.*, 16:41-51, 8:52-60.

Ex[1002] (Polish Report) ¶87.

Pet. at 28; Ex[1011] (Saylor) 6:33-43, 8:18-33, 8:52-60, 9:25-28, 16:41-51, 17:10-21, FIG. 11; Ex[1002] ¶87.

Ground 1 – Combination of Shaffer and Saylor

A POSITA would have and could have combined Shaffer with Saylor

- But, as explained by Dr. Polish, Saylor does not explain **how** to convey notifications to recipients in different networks.
- Shaffer's IS **provides the needed mechanism** for interoperable communications to achieve Saylor's goals.

88. To implement these communications, Saylor describes that the central security network can identify relevant recipients in an “address book,” (*id.*, 7:48-52), but does not explain how to convey notifications to recipients in different networks. A POSITA would have recognized that Shaffer's IS system provides the needed mechanism for interoperable communications to achieve Saylor's security goals. A POSITA would have understood that Shaffer's IS would have enabled security personnel or other responders to directly and seamlessly receive communications and information from surveillance cameras in a building utilizing Saylor's security network.

Pet. at 28; Ex[1011] (Saylor) 7:48-52; Ex[1002] ¶88.

Ex[1002] (Polish Report) ¶88.

Ground 1 – Combination of Shaffer and Saylor

A POSITA would have and could have combined Shaffer with Saylor

- A POSITA would have had a reasonable expectation of success in combining the references as described.
- Saylor's central security network sends communications to another network via Shaffer's IS in the manner already envisioned by both references—by a first network sending a packet-based communication to a second network through an intermediary network.

user's profile and preferences information. Alert notification may be communicated via the Internet 150, POTS 152, wireless communication portals, voice portals, and/or other methods. Contact individuals and/or entities 161₁–162_N

Ex[1011] (Saylor) 6:22-25.

signals, data or messages. Any one of networks 36a-36c may be implemented as a local area network (LAN), wide area network (WAN), cellular network, global distributed network such as the Internet, Intranet, Extranet, or any other form of wireless or wireline communication network. Com-

Ex[1004] (Shaffer) [0020].

- A POSITA would have recognized that Shaffer's IS could assign and provide a multicast IP address for a particular group and that Saylor could store and use the address to direct video clips and alarm information to that group.

Pet. at 28-29; Ex[1004] (Shaffer) [0039]-[0040]; Ex[1011] (Saylor) 6:22-25, FIG. 1; Ex[1002] ¶¶89-90.

Ground 1 – Combination of Shaffer and Saylor

The Alleged Distinctions Between Shaffer and Saylor Are Irrelevant to the Combination and In Fact Establish a Motivation to Combine

- PO's arguments that Shaffer and Saylor are incompatible based on (1) endpoint connectivity and (2) network structure lack merit.

Endpoint Connectivity:

- Dr. Akl's opinion that Saylor's security system is "location-agnostic" is contradicted by Saylor's actual disclosure:

Network alerts may be based on alert notifications associated with property, personal property and/or individuals within a defined area or locality. For example, a user may

Ex[1011] (Saylor) 10:63-65.

- Dr. Akl admitted as much:

Q Okay. Would you agree that this example in Saylor is not agnostic to location?

MR. KANTAREK: Objection to form.

A It does use the term, within a defined area or locality. So I would agree.

Ex[1036] 69:4-8.

Reply at 6.

Ground 1 – Combination of Shaffer and Saylor

The Alleged Distinctions Between Shaffer and Saylor Are Irrelevant to the Combination and In Fact Establish a Motivation to Combine

Endpoint Connectivity:

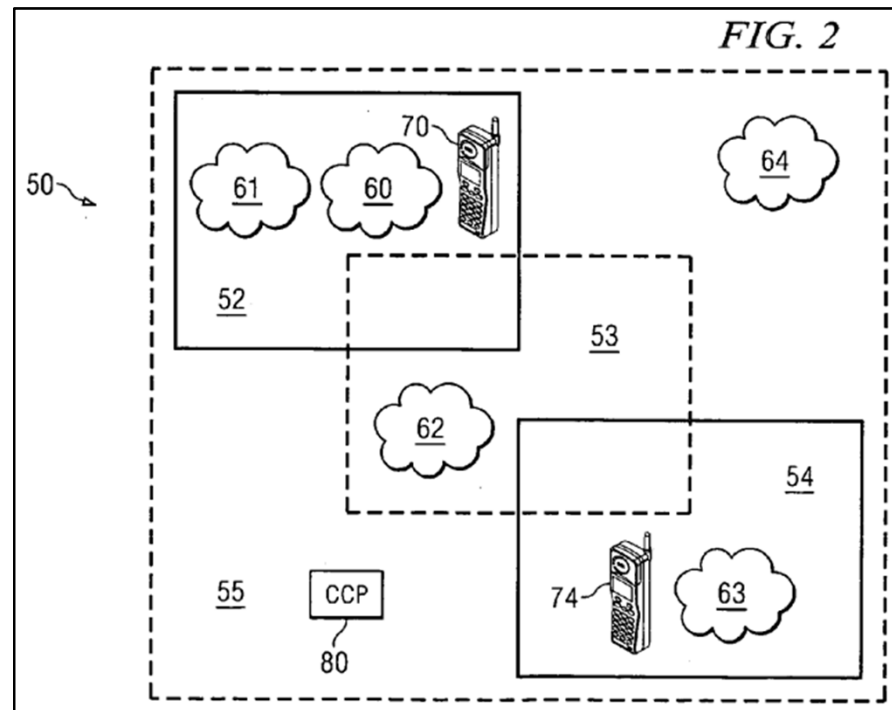
- Shaffer's endpoints are not all "transient" as PO suggests.

to a user. For example, endpoints 32a-32h may include a telephone, a personal computer (PC), a video monitor, a camera, an IP phone, a cell phone, a land mobile radio (LMR), a personal digital assistant (PDA), a command center or any other communication hardware, software and/or encoded logic that supports the communication of audio, video or other data, using packets of media (or frames) or otherwise, using communication network 36a. Endpoints

with a particular embodiment. Communication system 50 includes a plurality of geographic regions 52-55, communication networks 60-64, endpoints 70 and 74 and CCP 80.

[0027] In particular embodiments, geographic regions 52-55 may correspond to buildings, campuses, municipalities, counties, states, countries or any other particular geographical area. As illustrated, geographic area 52 includes

Ex[1004] (Shaffer) [0025]-[0027].



Ex[1004] (Shaffer) FIG. 2.

Reply at 6; POR at 19, 23; Ex[1002] ¶71; Ex[1036], 65:3-66:10 (failing to consider if a "command center" or "desktop computer" are mobile devices).

Ground 1 – Combination of Shaffer and Saylor

The Alleged Distinctions Between Shaffer and Saylor Are Irrelevant to the Combination and In Fact Establish a Motivation to Combine

Endpoint Connectivity:

- PO's arguments are irrelevant as they attack the references individually, rather than in combination.
 - Saylor sending alerts to a “defined area or locality” where a transient Shaffer endpoint might be is precisely one reason why a POSITA would want to combine Saylor and Shaffer.
 - Saylor expressly describes providing alarms to transient “emergency entities” such as the “police, fire department . . . and others.”
- PO is simply wrong that Saylor already provides mechanisms to establish communications between users and authorized entities.
 - Neither PO nor its expert point to anywhere in Saylor that identifies the user-specified manner.
 - Saylor leaves this up to the POSITA—precisely why a POSITA would have looked to Shaffer.

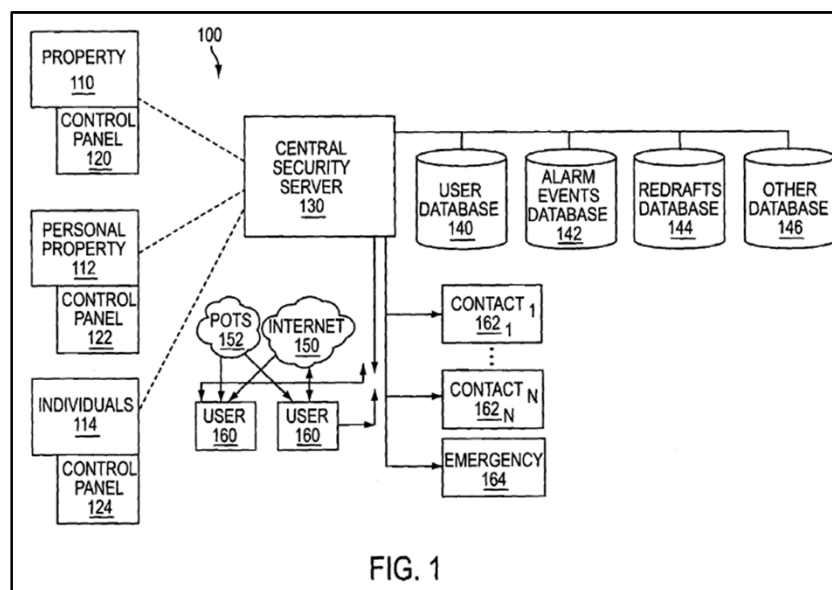
Reply at 6-7; POR at 19; Ex[1002], ¶¶84-85, 88-89; Ex[1011], 1:17-22, 9:22-28.

Ground 1 – Combination of Shaffer and Saylor

The Alleged Distinctions Between Shaffer and Saylor Are Irrelevant to the Combination and In Fact Establish a Motivation to Combine

Network Structure:

- Saylor's express disclosures contradict PO's argument that Saylor is a "closed" network.
 - Saylor's network is a packet-based network using TCP/IP that receives alarms from security devices and transmits notifications to relevant recipients in **other** networks (e.g., via internet 150).



Ex[1011] (Saylor) FIG. 1.

Reply at 7-8; POR at 21-23; Ex[1011] (Saylor) FIG. 1, 6:23; Pet. at 28; Ex[1002], ¶¶87-89.

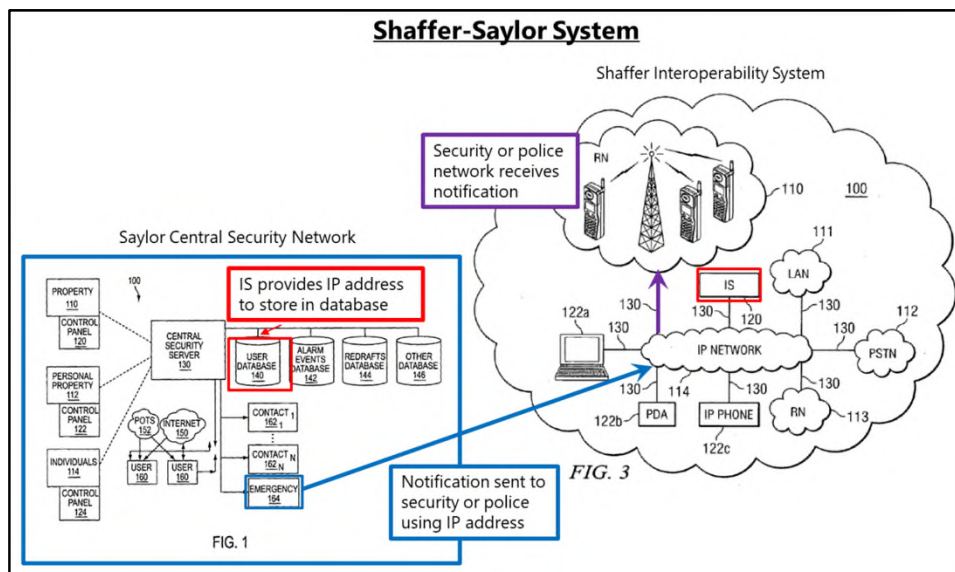
Ground 1 – Combination of Shaffer and Saylor

The Alleged Distinctions Between Shaffer and Saylor Are Irrelevant to the Combination and In Fact Establish a Motivation to Combine

Network Structure:

- The premise of PO's argument is wrong → the combination does **not** rely on **modifying** Shaffer but rather on providing network interoperability to allow Saylor's system to communicate with first responders on a different network.
- Tellingly, PO does not argue that a POSITA would not expect success in making the Shaffer-Saylor combination.

Ex[1011] (Saylor)
Fig. 1 (annotated).



Ex[1004] (Shaffer)
Fig. 3 (annotated).

Reply at 7-8; Pet. at 25-28.

Ground 1 – Combination of Shaffer and Saylor

Shaffer and Saylor are not redundant

- By arguing that Saylor and Shaffer are redundant, PO contradicts its position that they are distinct.
- PO conflates whether the combined references are redundant with the question of whether they are analogous.
- Shaffer's IS provides the mechanism by which Saylor's system can communicate alarms and video feeds to emergency services ***across different networks***.
- PO ***does not—and cannot***—argue that the data generated in Saylor are redundant of Shaffer.
- Shaffer disclosing more details regarding how to use the internet to connect to other networks shows that Saylor and Shaffer are ***not redundant but highly analogous***.

Reply at 8-9; Ex[1004] (Shaffer) [0039]-[0040], [0046]; Ex[1002], ¶¶84-87; Pet. at 25-26, 28.

Ground 1 – Combination of Shaffer and Saylor

Shaffer and Saylor are not redundant

- PO mischaracterizes Dr. Polish's testimony:

Q. So, Saylor discloses how to convey notifications to recipients in different networks in a myriad of ways, right?

A. Well, Saylor discloses that you can do it in lots of different ways and that it lists a bunch of examples.

Ex[2008] 54:6-11.

- Saylor does not explain in detail **how** to transmit information to **other** networks, which is precisely what Shaffer's IS is designed to do.

Reply at 9-10; POR, 24-25; Ex[1002], ¶¶87-88.

Ground 1 – Combination of Shaffer and Saylor

Shaffer and Saylor are not redundant

- PO's reliance on *Kinetic Concepts, Inc. v. Smith & Nephew, Inc.*, 688 F.3d 1342, 1369 (Fed. Cir. 2012) is misplaced.
 - In *Kinetic*, the party challenging “never offered evidence articulating” a motivation to combine.
 - PO takes the Court's note that “both . . . references independent accomplish **similar** functions” too far.
- **Only** Shaffer teaches interoperable communication functions for connecting endpoints used by first responders to each other, which is why a POSITA would have looked to it to achieve Saylor's goals.

Ground 1 – Combination of Shaffer and Saylor

PO Ignores the Motivation Described in the Petition

- PO's fallback position is that Shaffer and Saylor "could" be combined, not that they would have been.
- Disclosures in the prior art showing that two systems were compatible are highly relevant to obviousness. *In re Klein*, 647 F.3d 1343, 1348 (Fed. Cir. 2011).
- PO does not dispute the Petition's assertion that:

with locations such as business and campuses. Ex[1004], ¶0027. In view of these disclosures, a POSITA would have recognized that Shaffer's IS is well-suited to connect a network, such as a video security system designed to monitor particular buildings, with a different network that responds to incidents in those buildings, such as a security or emergency network. Ex[1002], ¶86.

Pet. at 27.

Reply at 10-11; POR at 26-29.

Ground 1 – Combination of Shaffer and Saylor

PO Ignores the Motivation Described in the Petition

- PO's argument that there would be no reason to store IP addresses in Saylor's stationary network because Shaffer discloses storing them in transient endpoints is incorrect.
- The endpoints in Shaffer are not all transient (e.g., PC, command center). Ex[1004], [0025].
- Shaffer discloses storing IP addresses in a computer—the IS itself provides IP addresses to a group of endpoints. Ex[1004], [0039]-[0040].
- Saylor expressly discloses:

Central security network 130 may process the alarm situation. User profile information may be retrieved from user database 140. User database 140 may contain user information, such as profile information, user preferences, contact information, special instructions and/or other information. User profile information may include one or more of name, identification information, address information, and other profile information. User preferences may include

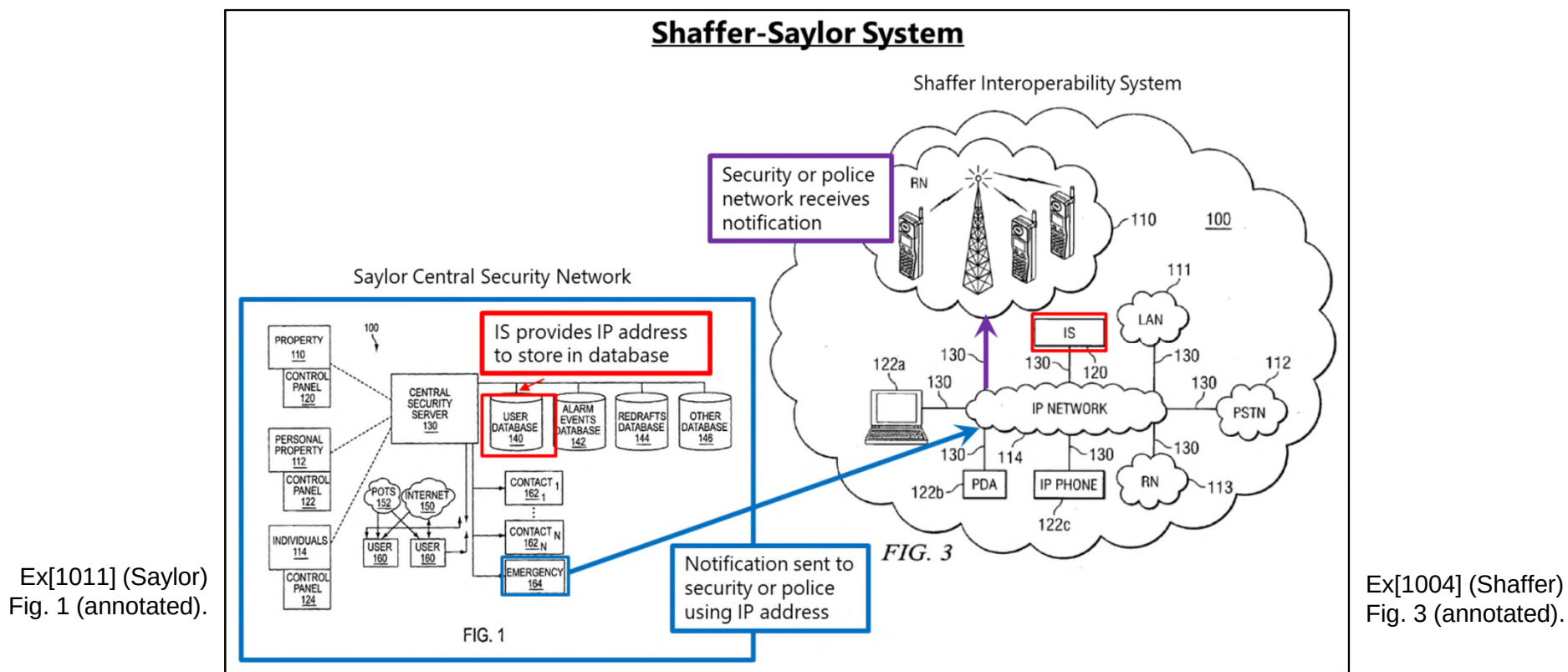
Ex[1011] (Saylor) 8:34-41.

Reply at 11; POR at 28.

Ground 1 – Combination of Shaffer and Saylor

PO Ignores the Motivation Described in the Petition

- In the combination, Shaffer's IS sends the relevant IP addresses to Saylor's server for storage and use for needed communication, exactly consistent with both Saylor and Shaffer.



Reply at 11; Pet. at 27.

Ground 1 (Shaffer-Saylor) – Claim 1, Preamble 1[Pre]

1[Pre] A method comprising:

(57)

ABSTRACT

A method for communicating using position information includes communicating on a first communication network at a first location using one or more first communication parameters of the first communication network and, upon moving from the first location to a second location, receiving position information identifying the second location. The method includes adjusting the one or more first communication parameters to one or more second communication parameters based on the second location and communicating on a second communication network at the second location using the one or more second communication parameters.

Ex[1004] (Shaffer) Abstract.

Ground 1 (Shaffer-Saylor) – Claim 1, Element 1[a]

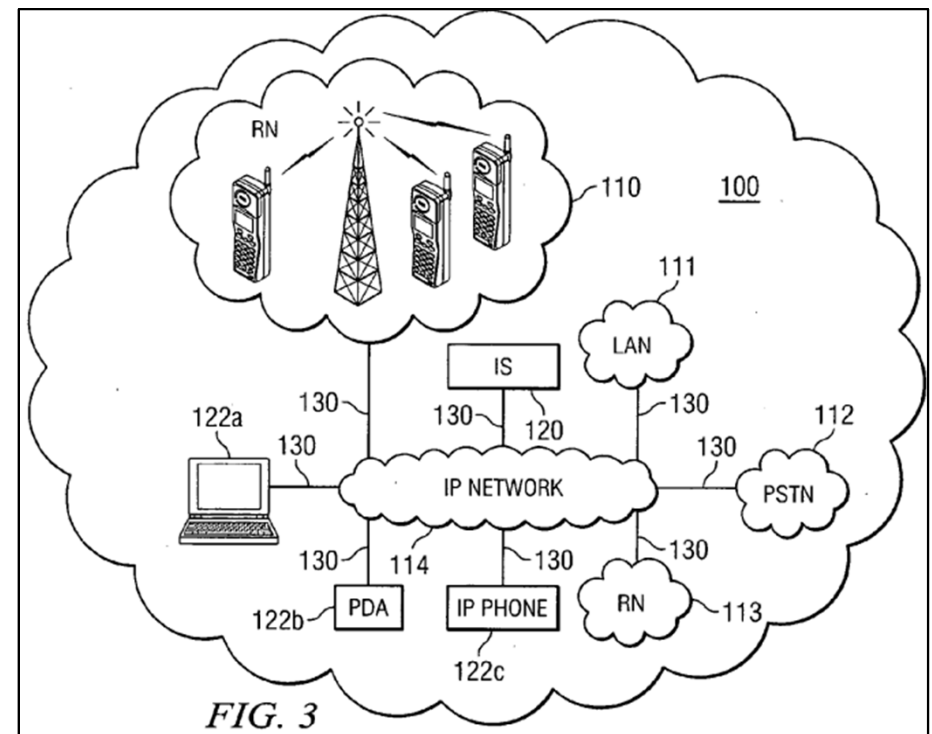
1[a] monitoring a selection of a communication channel by a user of a mobile communication device;

operational with respect to a particular area or otherwise. In the illustrated embodiment, endpoints 122 comprise a PC (endpoint 122a), a PDA (endpoint 122b) and an IP phone 122c). However, as indicated above, IS 120 may be config-

Ex[1004] (Shaffer) [0037].

[0039] As indicated above, IS 120 uses IP to enable communication among endpoints of various networks. For example, IS 120 may communicate with endpoints using multicast IP addresses assigned to an endpoint of a communication network, a group of endpoints of a communication network or one or more endpoints of multiple communication networks or alternatively using a peer to peer dialed connection. For example, a group of endpoints may be combined into a virtual talk group for communication using a particular IP address. The use of multicast IP addresses allows communication devices and endpoints of various communication networks to communicate with each other through IS 120 to provide network interoperability.

Ex[1004] (Shaffer) [0039].



Ex[1004] (Shaffer) FIG. 3.

Ground 1 (Shaffer-Saylor) – Claim 1, Element 1[a]

1[a] monitoring a selection of a communication channel by a user of a mobile communication device;

- Shaffer's IS monitors selection of the communication channel by a user to set the mobile communication device to the communication channel.

[0034] In another example, an officer, such as a state highway patrol officer, may be provided with a PC with a touch screen. The PC comprises a mobile endpoint. Icons on the touch screen may provide the officer the ability to join communication sessions with local safety and security forces (e.g., firefighters, police, etc.) as the officer's vehicle moves between communication domains. The officer may be provided with a plurality of options for communication (e.g., various communication networks and/or groups of endpoints) based on his location. Upon receiving instructions from the officer, communication parameters used by the endpoint may be automatically adjusted based on the officer's current location.

Ex[1004] (Shaffer) [0034].

in memory of the mobile endpoint. The multicast addresses in the IS 120 are mapped into a set of communication radio frequencies that are used by the networks (e.g., local safety and security agencies). As the mobile endpoint (e.g., in a safety vehicle) moves between communication regions, the endpoint uses GPS information to pinpoint its location and automatically adjusts communication parameters (e.g., IP addresses, radio frequencies, modulation methods and encryption keys) to achieve interoperability. This allows the mobile endpoint user to connect with local safety and security forces manually with, for example, a single key stroke or automatically based on pre-determined collaboration policies maintained in the mobile endpoint.

Ex[1004] (Shaffer) [0040].

Ground 1 (Shaffer-Saylor) – Claim 1, Element 1[a]

1[a] monitoring a selection of a communication channel by a user of a mobile communication device;

- The selection of the communication channel is monitored by the mobile endpoint processor so that the endpoint can “receive[] and transmit[] voice and other data” with other devices.

[0044] In the illustrated embodiment, **endpoint 200** **includes** a transmitter/receiver 202, a user interface 204, **a processor 206** and a memory module 208. Transmitter/receiver 202 obtains signals from GPS satellites or ground stations of a communication network in order to determine a position of endpoint 200 and receives and transmits voice and other data between endpoint 200 and other network devices and components. User interface 204 provides a

Ex[1004] (Shaffer) [0044].

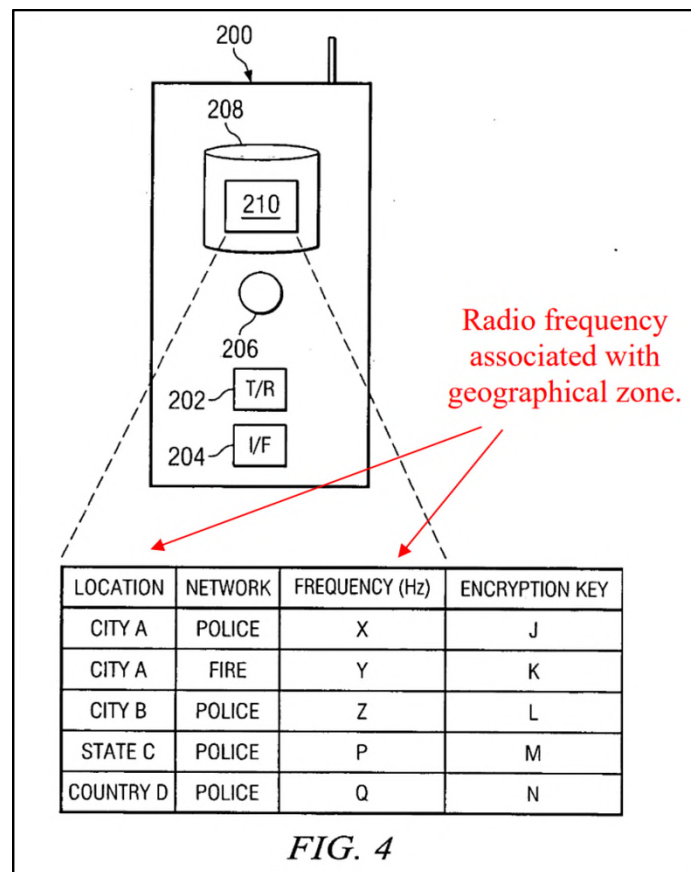
Ground 1 (Shaffer-Saylor) – Claim 1, Element 1[b]

1[b] providing a plurality of radio frequencies on a display of the mobile communication device, each radio frequency being associated with a geographical zone;

- In Shaffer, a user's device can store a plurality of radio frequencies associated with geographical zones.

[0046] In the illustrated embodiment, memory module 208 includes network communication parameter listings 210 which contains mappings of communication settings, such as radio frequencies and encryption keys, of communication networks by location. As indicated above, locations of communication networks may be defined in any suitable manner, such as by latitude/longitude coordinates, buildings, campuses, cities, counties, states, countries or any other particular geographical area. The illustrated embodiment includes city A, city B, state C and country D. The locations

Ex[1004] (Shaffer) [0046].

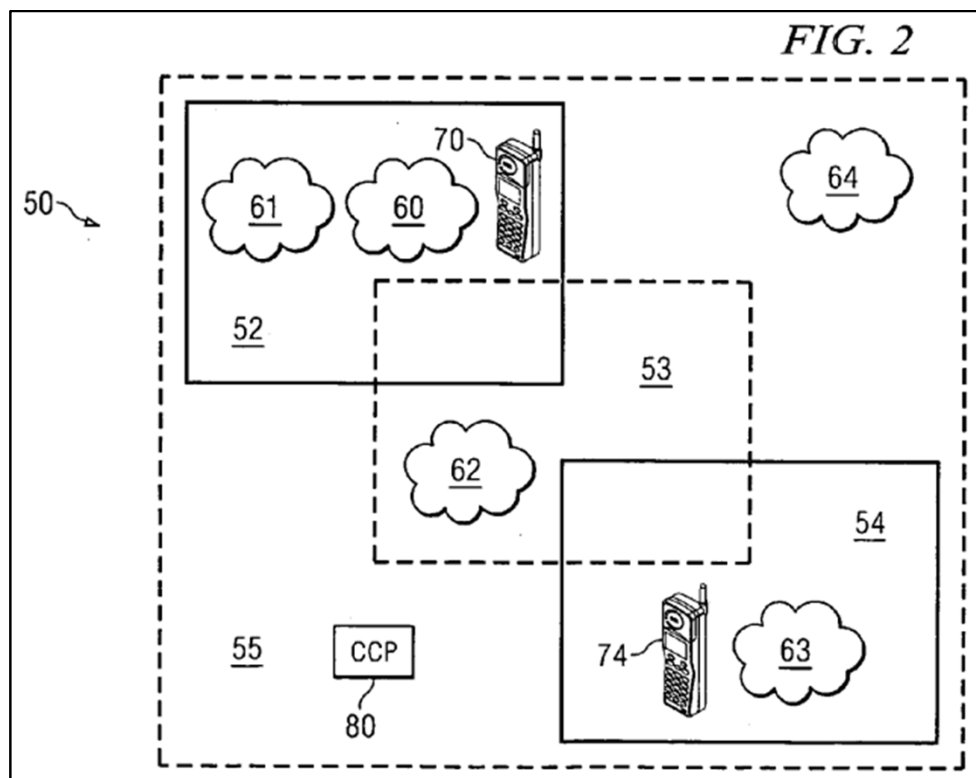


Ex[1004] (Shaffer) FIG. 4.

Ground 1 (Shaffer-Saylor) – Claim 1, Element 1[b]

1[b] providing a plurality of radio frequencies on a display of the mobile communication device, each radio frequency being associated with a geographical zone;

- Each geographic region may contain one or more communication networks 60-64, each of which may have different “assigned radio frequencies.”



Ex[1004] (Shaffer) FIG. 2.

[0027] In particular embodiments, geographic regions 52-55 may correspond to buildings, campuses, municipalities, counties, states, countries or any other particular geographical area. As illustrated, geographic area 52 includes

nicates information in area 55. Communication networks 60-64 each may communicate information (e.g., signals, data or messages) over assigned radio frequencies, modu-

Ex[1004] (Shaffer) [0027].

Pet. at 33-34; Ex[1002] ¶¶97-98.

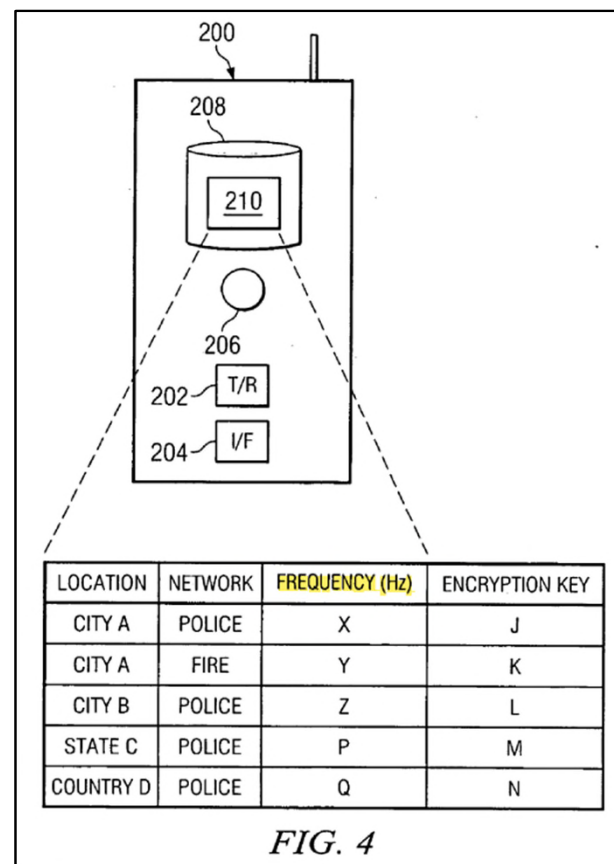
Ground 1 (Shaffer-Saylor) – Claim 1, Element 1[b]

1[b] providing a plurality of radio frequencies on a display of the mobile communication device, each radio frequency being associated with a geographical zone;

- Shaffer discloses that the radio frequencies are provided by the memory 208 to a display on the user interface 204.

devices and components. User interface 204 provides a mechanism through which a user of mobile endpoint 200 may operate the endpoint and communicate with other network devices. For example, through interface 204 a user may input instructions regarding adjustment of the end-point's communication settings (e.g., radio frequency, modulation method and encryption key) upon entering a new communication network. Interface 204 may comprise a keypad, display, touch screen, audio input or any other suitable interface. Instructions may be submitted through speech recognition, collection of keystrokes, soft key or otherwise.

Ex[1004] (Shaffer) [0044].



Ex[1004] (Shaffer) FIG. 4.

Ground 1 (Shaffer-Saylor) – Claim 1, Element 1[b]

1[b] providing a plurality of radio frequencies on a display of the mobile communication device, each radio frequency being associated with a geographical zone;

- The frequencies are presented to the user (e.g., using a touch screen display) for selection by the “pressing” of a touch screen “key stroke.”
- A POSITA would have recognized that displaying multiple available frequencies on Shaffer’s touch screen for selection by a “key stroke” would have been obvious and one of a finite number of predictable options for selecting on the touch screen all available frequencies in an area.

the user enters the network’s area. In some cases one or more interface actions, such as the pressing of a key stroke, and/or predefined instructions may be used to adjust endpoint communication settings transmitted by CCP 80 based on

Ex[1004] (Shaffer) [0035].

new communication network. Interface 204 may comprise a keypad, display, touch screen, audio input or any other suitable interface. Instructions may be submitted through speech recognition, collection of keystrokes, soft key or otherwise.

Ex[1004] (Shaffer) [0044].

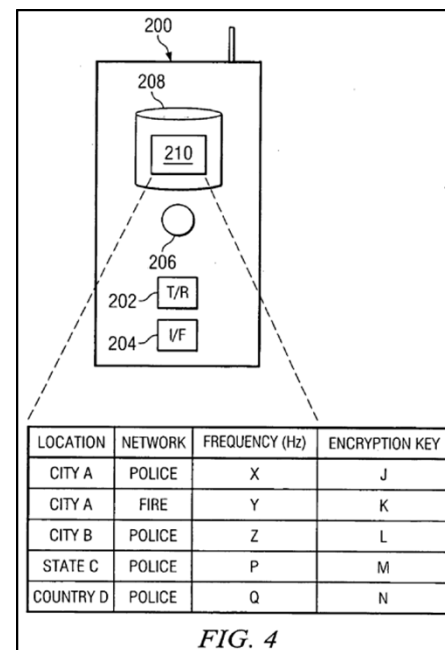
Ground 1 (Shaffer-Saylor) – Claim 1, Element 1[b]

Shaffer-Saylor teaches “providing a plurality of radio frequencies on a display of the mobile communication device”

- PO’s unrevised argument is wrong for the reasons already articulated by the Board.
- Shaffer’s “communication settings” include “radio frequency” and “specific buttons may be used to switch communications settings.”
- PO ignores Shaffer’s express teaching that user interface 204 comprises a display into which a user “may input instructions” or press a “key stroke” to change communication settings.

network devices. For example, through interface 204 a user may input instructions regarding adjustment of the end-point’s communication settings (e.g., radio frequency, modulation method and encryption key) upon entering a new communication network. Interface 204 may comprise a keypad, display, touch screen, audio input or any other suitable interface. Instructions may be submitted through speech recognition, collection of keystrokes, soft key or otherwise.

Ex[1004] (Shaffer) [0044].



Ex[1004]
(Shaffer)
FIG. 4.

Reply at 12; Ex[1004] (Shaffer) [0031]-[0032], [0035]-[0036]; Ex[1002] ¶100.

Ground 1 (Shaffer-Saylor) – Claim 1, Element 1[b]

Shaffer-Saylor teaches “providing a plurality of radio frequencies on a display of the mobile communication device”

- The Board already rejected PO’s argument that Shaffer does not disclose radio frequencies on a display.
- Additionally, PO **does not dispute** the Petition’s assertion that it would have been obvious to a POSITA to display the radio frequencies as claimed in view of Shaffer-Saylor.

100. Displaying the multiple available frequencies on Shaffer’s touch screen for selection by a “key stroke” on a touch screen would at least have been obvious to a POSITA. When there are multiple frequencies available for communication in a particular area, as in Shaffer, and when a user’s device can include a touch screen, as in Shaffer, presenting for selection on the touch screen all available frequencies in an area a user enters would have been one of a finite number of predictable options for selecting a frequency. Such an implementation uses a known technique (touchscreen display and selection) with known benefits (selection using a single “stroke”) according to its established function and is nothing more than a simple design choice that would have been obvious to a POSITA by August 2008.

Reply at 12; Pet. at 35 (citing Ex[1002] ¶100).

Ex[1002] (Polish Report) ¶100.

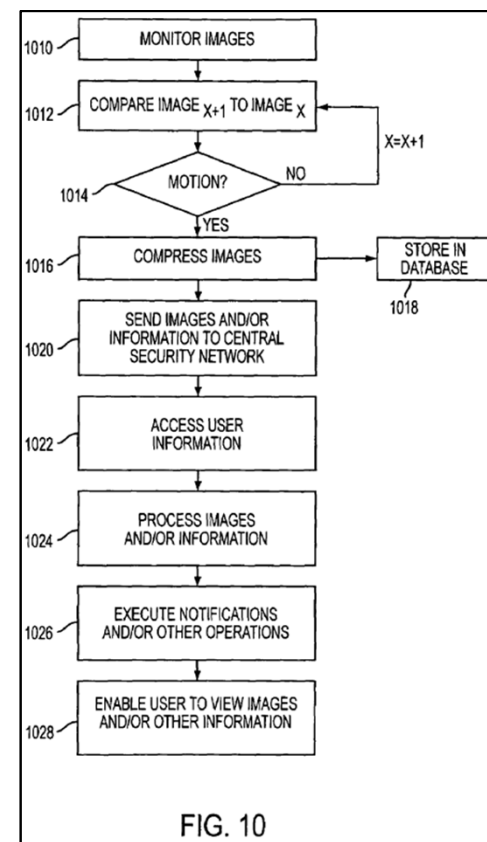
Ground 1 (Shaffer-Saylor) – Claim 1, Element 1[c]

1[c] from which a plurality of video feeds associated with the geographic zone are sourced;

- Shaffer-Saylor discloses that each geographic region in Shaffer (e.g., a building or a campus) can also be the source of and associated with a plurality of video feeds.
- Saylor discloses “video cameras” in a geographic zone, such as a building of a “business.”

At step 1010, an identified location may be monitored by a video or other recording device. At step 1012, video images may be compared to detect motion or other event. For example, an image taken at time $X+1$ may be compared to a previous image taken at time X . The interval of comparison may be predetermined. In addition, the interval of comparison may be defined based on various factors, such as the importance of the property being monitored. For example, if motion is detected, an alarm may be triggered. In addition, the recorded images (e.g., video clips) may be compressed, at step 1016, to reduce the amount of data that may be stored in a database, as shown by step 1018, and/or sent to a central security network, as shown by step 1020. At

Ex[1011] (Saylor) 16:52-64.



Ex[1011] (Saylor) FIG. 10.

Pet. at 35-36; Ex[1011] (Saylor) 11:64-12:16; Ex[1002] ¶101.

Ground 1 (Shaffer-Saylor) – Claim 1, Element 1[d]

1[d] monitoring a selection of a radio frequency of the plurality of radio frequencies by the user;

- As discussed for limitation 1[b], Shaffer discloses and renders obvious that the frequencies are provided on the display of a mobile communication device **for selection** by the user.
- The user's frequency selection is monitored by the processor of the mobile endpoint.
- Displaying multiple available frequencies on Shaffer's touch screen for selection by a "key stroke" on a touch screen would at least have been obvious.

network devices. For example, through interface 204 a user may input instructions regarding adjustment of the endpoint's communication settings (e.g., radio frequency, modulation method and encryption key) upon entering a new communication network. Interface 204 may comprise a keypad, display, touch screen, audio input or any other suitable interface. Instructions may be submitted through speech recognition, collection of keystrokes, soft key or otherwise.

Ex[1004] (Shaffer) [0044].

Pet. at 36; Ex[1004] (Shaffer) [0035]-[0036], [0045]-[0047]; Ex[1002] ¶102.

Ground 1 (Shaffer-Saylor) – Claim 1, Element 1[d]

1[d] monitoring a selection of a radio frequency of the plurality of radio frequencies by the user;

- PO's argument that Shaffer-Saylor fails to teach limitation 1[d] relies primarily on PO's argument that Shaffer fails to disclose limitation 1[b] and is wrong for the reasons above.
- Additionally, the Board already rejected PO's argument that Shaffer's monitoring is limited to "entering a new communication network."

Although we agree with Patent Owner that Shaffer teaches radio frequencies associated with a geographical zone may be stored in memory, and that they may be selected automatically when a user enters a geographic zone as determined by the device's GPS, consistent with Petitioner's arguments Shaffer teaches more than this. For example, Shaffer explains

Paper 11 (Decision) 46.

- PO's argument ignores Shaffer's express teachings and selectively quotes from the prior art.

network devices. For example, through interface 204 a user may input instructions regarding adjustment of the endpoint's communication settings (e.g., radio frequency, modulation method and encryption key) upon entering a new communication network. Interface 204 may comprise a

Ex[1004] (Shaffer) [0044].

Reply at 14.

Ground 1 (Shaffer-Saylor) – Claim 1, Element 1[e]

1[e] identifying at least one video feed by selecting the at least one video feed from the plurality of video feeds associated with the geographic zone, wherein the at least one video feed is associated with the selected communication channel based on a user policy that identifies one or more video feeds that are relevant to the user when the user accesses the selected communication channel,

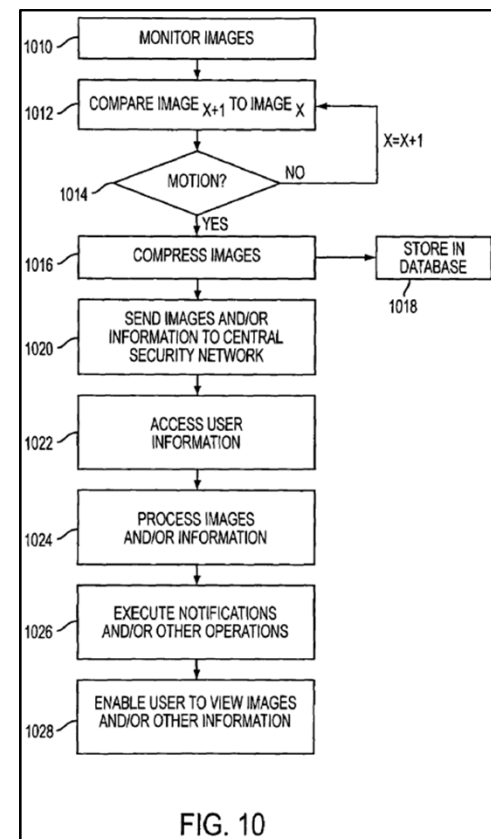
- Shaffer-Saylor discloses limitation 1[e] under any party's proposed construction.
- FIG. 10 shows how Saylor's central security network identifies and selects a video feed associated with a geographic zone.

At step 1010, an identified location may be monitored by a video or other recording device. At step 1012, video

example, if motion is detected, an alarm may be triggered. In addition, the recorded images (e.g., video clips) may be compressed, at step 1016, to reduce the amount of data that may be stored in a database, as shown by step 1018, and/or sent to a central security network, as shown by step 1020. At

information. At step 1024, the image (e.g., video clips) may be processed to determine whether certain user defined conditions are met for alarm triggers and other actions.

Ex[1011] (Saylor) 16:52-53, 60-64, 17:1-3.



Ex[1011] (Saylor) FIG. 10.

Ground 1 (Shaffer-Saylor) – Claim 1, Element 1[e]

1[e] identifying at least one video feed by selecting the at least one video feed from the plurality of video feeds associated with the geographic zone, wherein the at least one video feed is associated with the selected communication channel based on a user policy that identifies one or more video feeds that are relevant to the user when the user accesses the selected communication channel,

- Shaffer-Saylor accesses a user preferences database that associates the video feed with the selected communication channel.
- According to Saylor:

user database 140. User database 140 may contain user information, such as profile information, user preferences, contact information, special instructions and/or other information. User profile information may include one or more of

situations and/or potential alarm situations. Special instructions may include information to be conveyed to entities reacting to the alarm for a particular location or object. For

information and other preferences. User preference information may be associated with each security device, group of devices, systems or other combinations. For example, different alarm situations that may be detected in various locations or systems may warrant different levels of response. In addition, a user may maintain a personal

Ex[1011] (Saylor) 8:36-39, 43-48, 52-54.

- When an event occurs (such as motion), the central security network can send relevant info, such as video clips, “via the Internet 150” to “[a]n emergency entity 164.”

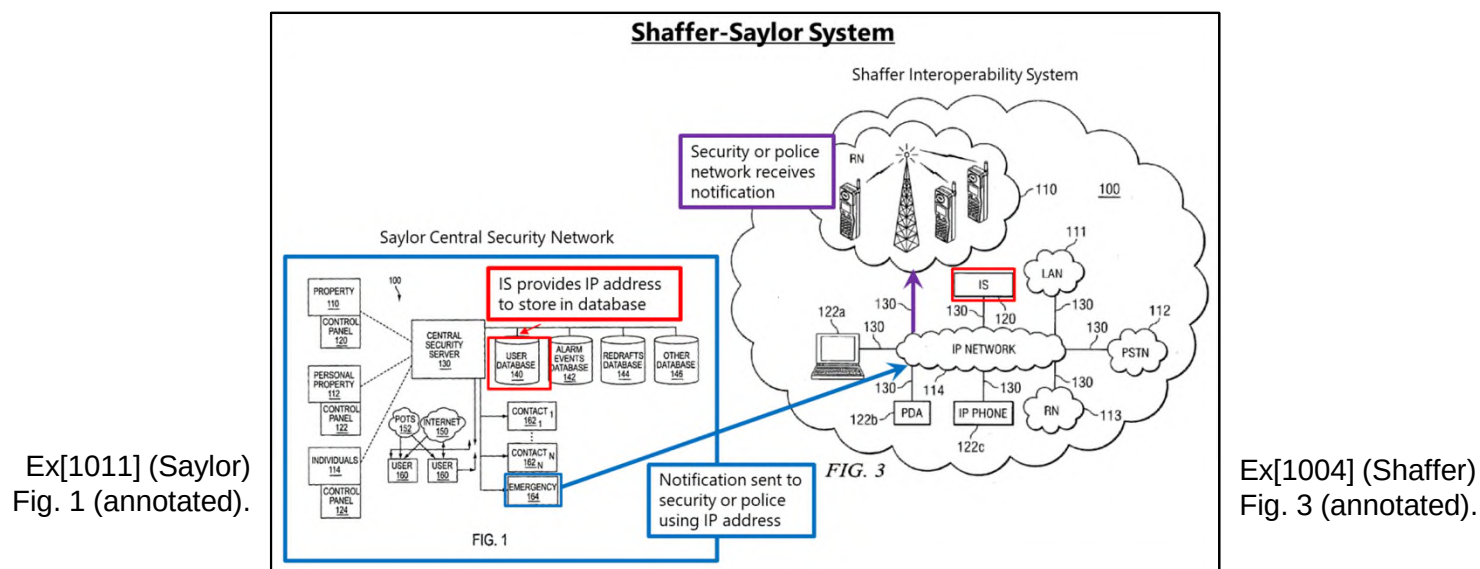
situation was confirmed by someone at home, the central security network may directly contact a local fire department and provide the location, nature and/or other information related to the emergency. In addition, the central security

Ex[1011] (Saylor) 12:17-21.

Ground 1 (Shaffer-Saylor) – Claim 1, Element 1[e]

1[e] identifying at least one video feed by selecting the at least one video feed from the plurality of video feeds associated with the geographic zone, wherein the at least one video feed is associated with the selected communication channel based on a user policy that identifies one or more video feeds that are relevant to the user when the user accesses the selected communication channel,

- Shaffer's IS can assign a multicast IP address to the relevant security forces and provide the IP address to Saylor's databases for storage.
- Saylor's central security network can lookup the multicast address and use it to send information to the security personnel that have selected this communication channel.



Ground 1 (Shaffer-Saylor) – Claim 1, Element 1[e]

1[e] identifying at least one video feed by selecting the at least one video feed from the plurality of video feeds associated with the geographic zone, wherein the at least one video feed is associated with the selected communication channel based on a user policy that identifies one or more video feeds that are relevant to the user when the user accesses the selected communication channel,

- The claimed “user policy” is the set of preferences in Saylor’s databases identifying when to notify users (e.g., security personnel) and what to send them.

ation occurs. The present invention provides a security network where a user may set up personalized alarms and alert services; identify various methods of contact; order at which to be contacted; individuals and entities to be contacted; type of situations to be alerted of and other relevant security and other information. The present invention may

Ex[1011] (Saylor) Abstract.

- In the Shaffer-Saylor combination, Saylor’s central security network sends notifications to users using the assigned multicast IP address.
- When security personnel selects a communication channel associated with the multicast IP address, the officer can access the transmitted communications.

Ground 1 (Shaffer-Saylor) – Claim 1, Element 1[e]

Shaffer-Saylor teaches “identifying at least one video feed by selecting the at least one video feed from the plurality of video feeds associated with the geographic zone”

- PO incorrectly asserts that the Petition fails to address the requirement that a video feed is selected “from the ***plurality*** of video feeds.”
- The Petition addresses the plurality of feeds for limitation 1[c] by referencing Saylor’s plurality of video feeds from “video cameras” (plural) located in “each geographic region” (e.g., “building or campus”) that the system monitors.
 - PO ***does not dispute*** that Shaffer-Saylor discloses limitation 1[c].
- For limitation 1[e], the Petition describes identifying and selecting a specific one of those video feeds when a “trigger” event occurs at a particular camera and based on a corresponding “user policy.”

Ground 1 (Shaffer-Saylor) – Claim 1, Element 1[e]

Shaffer-Saylor teaches “identifying at least one video feed by selecting the at least one video feed from the plurality of video feeds associated with the geographic zone”

- PO argues that Shaffer-Saylor does not disclose limitation 1[e] because “each camera works in a silo” and Saylor purportedly does not **first** receive and review all feeds at a central location and **then** select one.
- PO’s experts agree that Claim 1 has no such requirements. For example:

██████████ Similarly, the means by which “identifying ... by selecting” the at least one video feed is not limited by the claim language. ██████████

Ex[1037] (Infringement Report)] ¶1385.

- In Shaffer-Saylor, the “geographic zone” can be a “building” that includes multiple cameras, each with a video feed, and ***one feed is selected when motion is detected at a particular camera.***

Reply at 3-4; POR at 1, 14-15.

Ground 1 (Shaffer-Saylor) – Claim 1, Element 1[e]

Shaffer-Saylor teaches “identifying at least one video feed by selecting the at least one video feed from the plurality of video feeds associated with the geographic zone”

- PO’s expert could not explain why selection by a motion sensor differs from the claimed selecting:

Q Dr. Akl, sitting here today, do you have any reason to believe that the selection of a video feed through a motion sensor is not within the scope of the challenged claims?

A I don't have an opinion on it one way or the other.

Ex[1036], 62:5-11.

- Indeed, PO’s infringement allegations in district court rely on a “trigger” event:

[REDACTED] Rules Engine. Rules consist of one or more conditions that, when satisfied, trigger an action. [REDACTED]

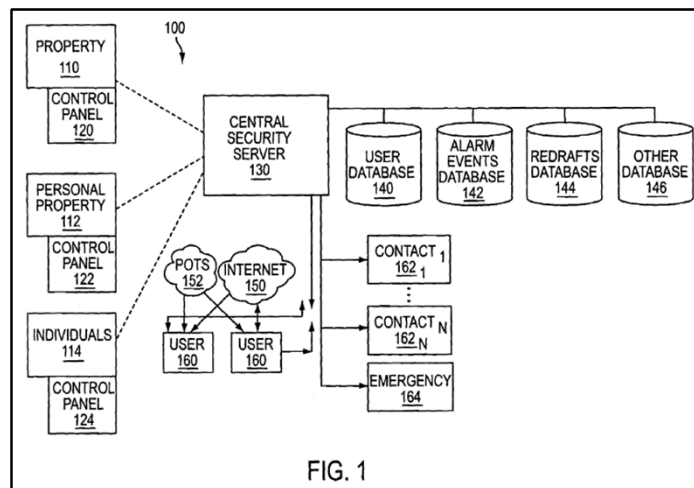
Ex[1037] (Infringement Report)] ¶429.

Reply at 4.

Ground 1 (Shaffer-Saylor) – Claim 1, Element 1[e]

Shaffer-Saylor teaches “identifying at least one video feed by selecting the at least one video feed from the plurality of video feeds associated with the geographic zone”

- Shaffer-Saylor teaches limitation 1[e] even under PO’s narrow limitation.
- Saylor implements “personalized alarm services” and stores user policies at a central server for determining which triggered video feeds received by the server should then be selected and conveyed to particular entities.
- Saylor’s central server receives multiple video feeds (e.g., where motion is detected) and selects one or more of those feeds to send to a user/entity based on the stored rules/preferences.



Ex[1011] (Saylor) FIG. 1.

Ground 1 (Shaffer-Saylor) – Claim 1, Element 1[e]

Shaffer-Saylor teaches “identifying at least one video feed by selecting the at least one video feed from the plurality of video feeds associated with the geographic zone”

- PO’s argument that a feed must be selected from the plurality “**before**” recorded images from the feed are sent to the central server also fails.
- The claims do not recite this purported order of steps, nor a “server” of any kind.
- Even under PO’s narrow interpretation, Saylor’s security network selects one of the plurality of feeds in the geographic area **before** recorded images are sent to the central server via the motion detection trigger.

Ground 1 (Shaffer-Saylor) – Claim 1, Element 1[e]

Shaffer-Saylor teaches “identifying at least one video feed by selecting the at least one video feed from the plurality of video feeds associated with the geographic zone”

- PO’s attempt to distinguish Saylor’s selection via motion detection trigger fails because the claim does not require that any particular part of the system perform the monitoring.
- PO’s expert did not assert that any particular part of the system performs the monitoring:

Q Okay. And directing your attention to the "selecting" phrase, do you agree that claim 1 does not specify what part of the system performs the selecting?

MR. KANTAREK: Objection, form.

A That's not something I have an opinion on.

Ex[1036], 43:9-15.

Reply at 5.

Ground 1 (Shaffer-Saylor) – Claim 1, Element 1[e]

Shaffer-Saylor renders obvious associating a video feed with a communication channel “. . . when the user accesses the selected communication channel”

- PO rehashes its rejected argument that Saylor’s use of a user policy to identify relevant feeds for an entity does not do so “**when the user accesses** the selected communication channel.”
- But the Shaffer-Saylor combination works in the same way as the ’830 Patent.
- The Board has already credited the Petition’s explanation that:
 - In Saylor, the user policy identifies relevant video feeds in Saylor’s security system for users associated with a specific communication channel (IP address) provided by Shaffer’s IS.
 - The IS makes the video feeds accessible to a user when that user selects the communication channel associated with the IP address.

Ground 1 (Shaffer-Saylor) – Claim 1, Element 1[e]

Shaffer-Saylor renders obvious associating a video feed with a communication channel “. . . when the user accesses the selected communication channel”

- ’830 Patent dependent claim 6 confirms that video feed identification can be accomplished via a database **before** the user selects the channel.

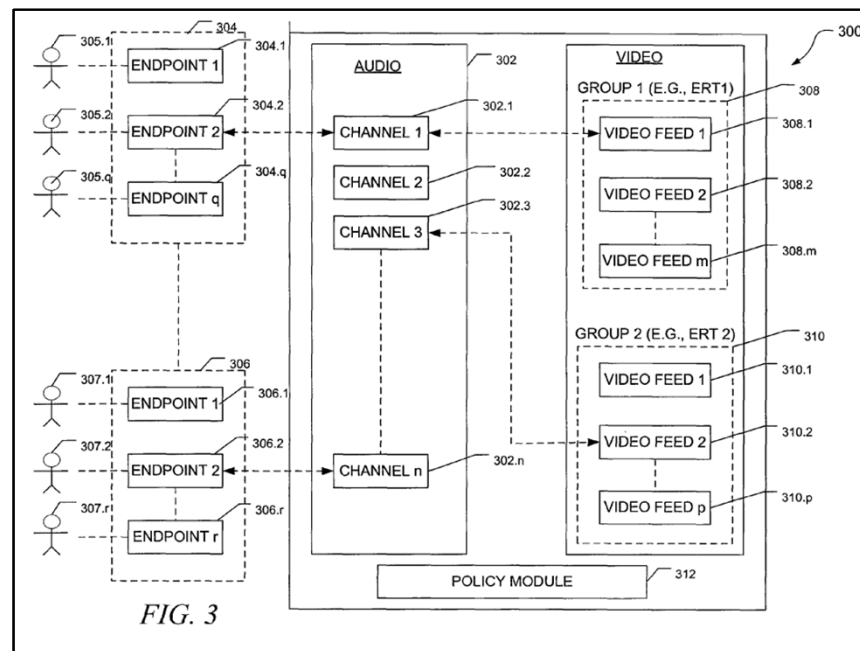
6	The method of claim 1, further comprising: accessing a database to identify a group of video feeds associated with the user; and when the user selects the communication channel , providing access to the group of video feeds associated with the user to one or more other users of the communication channel
----------	--

Ex[1001], cl. 6.

- ’830 Patent FIG. 3 also discloses:

As described in more detail below, video feeds 308.1-308.m may be automatically associated with the first channel 302.1 so that, in use, **when any user 305.1-305.q sets an associated mobile communication device 304.1-304.q, respectively, to the first channel 302.1** the video feeds 308.1-308.m are made accessible to the users 305.1-305.q. In the

Ex[1001], 5:38-42, FIG. 3.



Reply at 15.

Ground 1 (Shaffer-Saylor) – Claim 1, Element 1[e]

Shaffer-Saylor renders obvious associating a video feed with a communication channel “. . . when the user accesses the selected communication channel”

- PO’s argument improperly fixates on Saylor individually rather than the Shaffer-Saylor combination.
 - *Bradium Techs. LLC v. Iancu*, 923 F.3d 1032, 1050 (Fed. Cir. 2019) (obviousness “cannot be overcome by ‘attacking references individually’”).

Reply at 15-16.

Ground 1 (Shaffer-Saylor) – Claim 1, Element 1[f]

1[f] the one or more video feeds being independent of the selected communication channel; and

- Saylor's central security network selects video feeds, for example, from video surveillance cameras at a building or home.

Thus, the central security network of the present invention may also support users who already have an alarm system in their home, or want to buy a system from an alarm dealer

Ex[1011] (Saylor) 10:43-45.

- In the combined system, the Saylor's configurable central security network associates video feeds with the communication channel (e.g., multicast IP channel) based on a user's preferences and relevant events triggering the forwarding of the video feeds.

Ground 1 (Shaffer-Saylor) – Claim 1, Element 1[f]

The District Court’s Claim Construction of Limitation 1[f]

- The District Court construed limitation 1[f] as follows:

“the one or more video feeds being independent of the selected communication channel” ’830 Patent: Claim 1	“the one or more video feeds being capable of being associated with more than the selected communication channel.”
---	---

- Neither party proposed this construction, and the court’s claim construction order did not issue until well after the Petition’s filing.
- Nevertheless, in the combined system, Saylor’s configurable central security network associates its video feeds with the selected communication channel regardless of which channel the user selected.

Ground 1 (Shaffer-Saylor) – Claim 1, Element 1[g]

1[g] providing access to the identified at least one video feed to the mobile communication device based on the user policy.

- Saylor's central security network sends video clips to mobile devices based on the user policy stored in databases.

of devices, systems or other combinations. For example, different alarm situations that may be detected in various locations or systems may warrant different levels of response. In addition, a user may maintain a personal

Ex[1011] (Saylor) 8:45-48, 9:22-28.

Based on user information retrieved from one or more databases 140, 142, 144 and 146, central security network 130 may contact one or more users 160 or other identified contacts 162₁–162_N as specified by the user. Other identified contacts may include neighbors, family members, personal doctors, emergency entities 164, such as the police, fire department, hospital and others.

- If a notification is sent to the selected communication channel (multicast IP address), the group members can access it.

communication among endpoints of various networks. For example, IS 120 may communicate with endpoints using multicast IP addresses assigned to an endpoint of a commu-

Ex[1004] (Shaffer) [0039].

Ground 1 (Shaffer-Saylor) – Claim 2

2 The method of claim 1, wherein providing access comprises associating the identified at least one video feed with the mobile communication device in a database that is used to manage access to independent video feeds in a network based on audio communication channels that are selected by communication devices in the network.

- Saylor's database associates video feeds with the user's selected multicast IP address (an audio communication channel).
- The system in Saylor can send notifications to users based on a defined area:

users. For example, the system may immediately notify a user about burglar strikes (or other user identified alarm situation) in the user's neighborhood or defined area (radius of interest or other location). The present invention may

Ex[1011] (Saylor) 5:47-50.

- Shaffer's IS can track GPS information of users. Ex[1004] (Shaffer) [0016], [0041].
- It would have been obvious to a POSITA that Shaffer's IS could provide the tracked location information to Saylor's central security network so that the network can notify users on the audio communication channel of an event.

Ground 1 (Shaffer-Saylor) – Claim 3, Element 3[a]

3[a] The method of claim 1, further comprising: accessing a database to identify a plurality of members of an emergency response team that includes the user of the mobile communication device; and

- PO's argument that the Petition failed to address limitation 3[a] is incorrect.
- The Petition indicates that, as explained for claim 2, Saylor's database may contain location information to identify members of an emergency response team associated with a communication channel.
- Petition's claim 2 statement that "Saylor's database associates video feeds with the user's selected multicast IP address" meets limitation 3[a] because Saylor's database contains information to identify members of an emergency response team associated with a communication channel.

user database 140. User database 140 may contain user information, such as profile information, user preferences, contact information, special instructions and/or other information. User profile information may include one or more of

information and other preferences. User preference information may be associated with each security device, group of devices, systems or other combinations. For example, different alarm situations that may be detected in various locations or systems may warrant different levels of response. In addition, a user may maintain a personal

situations and/or potential alarm situations. Special instructions may include information to be conveyed to entities reacting to the alarm for a particular location or object. For

situation was confirmed by someone at home, the central security network may directly contact a local fire department and provide the location, nature and/or other information related to the emergency. In addition, the central security

Ex[1011] (Saylor) 8:36-39, 43-48, 52-54, 12:17-21.

Pet. at 43; Ex[1002], ¶114; Reply at 16.

Ground 1 (Shaffer-Saylor) – Claim 3, Element 3[b]

3[b] presenting a plurality of available video feeds on the display of the mobile communication device, the plurality of available video feeds including video streams associated with the plurality of members of the emergency response team.

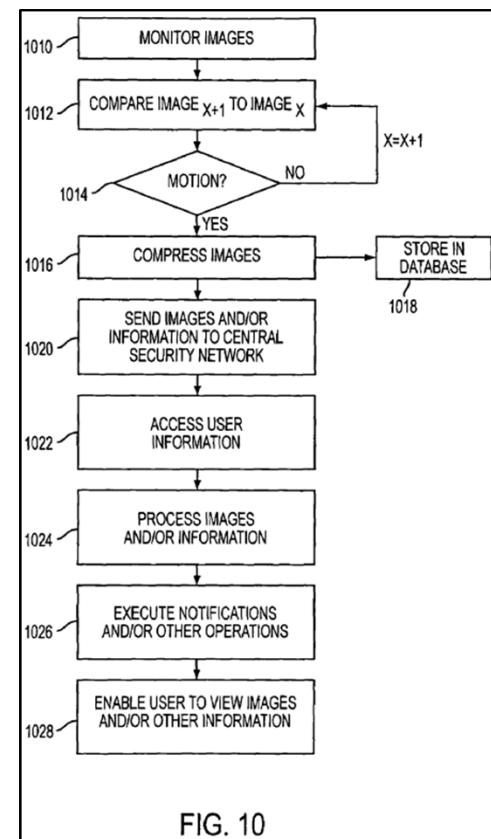
- As explained for limitation 1[e], video streams may be associated with a communication channel and team.
- For example, FIG. 10 shows how Saylor's central security network identifies and selects a video feed associated with a geographic zone.

At step 1010, an identified location may be monitored by a video or other recording device. At step 1012, video

example, if motion is detected, an alarm may be triggered. In addition, the recorded images (e.g., video clips) may be compressed, at step 1016, to reduce the amount of data that may be stored in a database, as shown by step 1018, and/or sent to a central security network, as shown by step 1020. At

information. At step 1024, the image (e.g., video clips) may be processed to determine whether certain user defined conditions are met for alarm triggers and other actions.

Ex[1011] (Saylor) 16:52-53, 60-64, 17:1-3.



Ex[1011] (Saylor) FIG. 10.

Ground 1 (Shaffer-Saylor) – Claim 3, Element 3[b]

3[b] presenting a plurality of available video feeds on the display of the mobile communication device, the plurality of available video feeds including video streams associated with the plurality of members of the emergency response team.

- Shaffer-Saylor accesses a user preferences database that associates the video feed with the selected communication channel.
- According to Saylor:

user database 140. User database 140 may contain user information, such as profile information, user preferences, contact information, special instructions and/or other information. User profile information may include one or more of

situations and/or potential alarm situations. Special instructions may include information to be conveyed to entities reacting to the alarm for a particular location or object. For

information and other preferences. User preference information may be associated with each security device, group of devices, systems or other combinations. For example, different alarm situations that may be detected in various locations or systems may warrant different levels of response. In addition, a user may maintain a personal

Ex[1011] (Saylor) 8:36-39, 43-48, 52-54.

- When an event occurs (such as motion), the central security network can send relevant info, such as video clips, “via the Internet 150” to “a[n] emergency entity 164.”

situation was confirmed by someone at home, the central security network may directly contact a local fire department and provide the location, nature and/or other information related to the emergency. In addition, the central security

Ex[1011] (Saylor) 12:17-21.

Pet. at 38-39; Ex[1002] ¶105.

Ground 1 (Shaffer-Saylor) – Claim 3, Element 3[b]

3[b] presenting a plurality of available video feeds on the display of the mobile communication device, the plurality of available video feeds including video streams associated with the plurality of members of the emergency response team.

- Dr. Polish also notes that Shaffer discloses that each mobile device can support video communication and explains that:

device can support video communication. Ex[1004], ¶0025. By 2008, it would have been obvious that a mobile device could have displayed multiple video feeds from a security network, including via thumbnails or a drop-down menu for selection—either of which was well-known user interface technology for a mobile device. A POSITA would have been motivated to present an emergency response team with a plurality of video feeds associated with an alarm trigger from a Saylor security network to enable the team to understand the alarming situation.

Ex[1002], ¶115.

to a user. For example, endpoints 32a-32h may include a telephone, a personal computer (PC), a video monitor, a camera, an IP phone, a cell phone, a land mobile radio (LMR), a personal digital assistant (PDA), a command center or any other communication hardware, software and/or encoded logic that supports the communication of audio, video or other data, using packets of media (or frames) or otherwise, using communication network 36a. Endpoints

Ex[1004] (Shaffer) [0025].

- PO cites only the Board's decision in an unrelated proceeding to allege that Dr. Polish failed to support his testimony.

Ground 1 (Shaffer-Saylor) – Claim 4

4 The method of claim 3, wherein the available video feeds are sourced from a group of surveillance cameras.

- For the reasons described for limitation 1[f], Shaffer-Saylor discloses dependent claim 4.
- For example, Saylor's central security network selects video feeds, for example, from video surveillance cameras at a building or home.

For example, within a house, a user may have window and door contacts, smoke detectors and motion sensors, video cameras, key chain control, temperature monitors, CO and other gas detectors, vibration sensors, and others. A user may

Ex[1011] (Saylor) 10:31-34.

Thus, the central security network of the present invention may also support users who already have an alarm system in their home, or want to buy a system from an alarm dealer

Ex[1011] (Saylor) 10:43-45.

- In the combined system, the network associates video feeds with the communication channel (e.g., multicast IP channel) based on a user's preferences and relevant events triggering the forwarding of the video feeds.

Ground 1 (Shaffer-Saylor) – Claim 5

- 5** The method of claim 1, wherein the communication channel is a Push-To-Talk (PTT) channel in a PTT communication network and the mobile communication device is a PTT radio.

- Shaffer renders claim 5 obvious under any party's construction.
- Shaffer's express disclosures include:

interoperability system (IS) 120 and endpoints 122. In the illustrated embodiment, communication network 110 comprises a radio or wireless network, communication network

among network devices and components. A radio network may support communication among portable mobile station endpoints, such as land mobile radios (LMRs), using any suitable communication methods or features, such as cellular and push-to-talk (PTT). Communication networks 110-

encryption keys) to achieve interoperability. This allows the mobile endpoint user to connect with local safety and security forces manually with, for example, a single key stroke or automatically based on pre-determined collaboration policies maintained in the mobile endpoint.

Ex[1004] (Shaffer) [0037], [0040].

- A POSITA would have understood that a single keystroke can be a PTT key, and the channel can transmit half-duplex communications.

Ground 1 (Shaffer-Saylor) – Claim 7, Element 7[a]

7[a] The method of claim 1, further comprising: monitoring an audio signal generated in proximity to a video camera providing a first video feed included in the identified at least one video feed;

- Saylor discloses that the central security network can include “sound” sensors, which could have been located in “proximity” to the camera providing video notifications.

bypassed, programming, open and others. Type of device may include smoke, heat, CO, radon, temperature, contact, motion, camera, breakage, sound, panic button, control, light and others.

Ex[1011] (Saylor) 14:17-20.

- Saylor describes that a video camera can monitor a specific area, such as the front door of a building, and a camera near the door can identify motion.
- It would have been obvious that a “sound” sensor could also be installed by the door to detect break-in, in addition to movement.

Ground 1 (Shaffer-Saylor) – Claim 7, Elements 7[b]-[c]

7[b] processing the audio signal to identify an audio event; and;

7[c] based on the identified audio event, providing access to the first video feed to a plurality of mobile communication devices in a group of mobile communication devices, the group of mobile communication devices including the mobile communication device of the user corresponding to the selection of the communication channel.

- Shaffer-Saylor renders limitation 7[b] obvious because, like limitation 7[a], it would have been obvious for Saylor's central security network to process the output of the sound sensor to determine if there was an audio event.
- Regarding limitation 7[c], it would have been obvious that Saylor's central security network could send a video clip from a camera near the front door when a sound of breaking glass is detected near the front door.

Ground 1 (Shaffer-Saylor) – Claim 7

Dr. Polish did support his opinion that it would have been obvious to put a sound sensor next to a front door to detect breaking glass

- Dr. Polish cites Ex[1008] for this exact point.

120. Sound sensors (or audio sensors) were well known at the time and it would have been obvious to place the sensor nearby a camera that is in an area of interest. See Section VIII.D; Ex[1008]. For example, Saylor describes that the video

Ex[1002], ¶120.

- *Randall Mfg. v. Rea*, 733 F.3d 1355, 1362-63 (Fed. Cir. 2013) (requiring assessing “background information” possessed by a POSITA).

Honeywell Security and Custom Electronics First Line of Defence Glassbreak Detectors by IntelliSense

Who is IntelliSense?

- Original IntelliSense company founded in early 1990's as part of C&K Systems
- The companies merged with the Ademco Group in 2000
- The IntelliSense brand now represents this vast collection of talent and experience

What is a Glassbreak Detector?

- It listens to the sound of the breaking glass
- It measures the amplitude of the sound
- It measures the duration of the signal
- It provides the First Line of Defence

What is the First Line of Defence?

- Remember when security systems consisted of relay control panels, one primary loop, a contact on every door and foil on every window?
- The use of foil was a standard practice (even an art); it provided perimeter protection and a visible deterrent
- Fast forward to the 1990's and the proliferation of ZERO down systems that consisted of 2 doors and motion... FULL perimeter protection was not part of the business plan
- Let's not overlook the obvious statement about even the BEST motion detectors – the intruder has to be INSIDE for the system to react!
- Now that we are seeing a return to more traditional installations, the timing could not be more perfect for using FlexGuard glassbreak detectors on every system!
- Install FlexGuard glassbreak detectors on every system and provide detection BEFORE the intruder gets in – the FIRST LINE of DEFENCE!
- Affordable, reliable, attractive style – make it a part of your installer's business plan.

Why use FlexGuard?

- Early glassbreak detectors were not much more than a microphone, prone to many false alarms
- Today's technology is much more sophisticated
- ASIC (Application Specific Integrated Circuit) design provides unmatched false alarm immunity without compromising detection
- Thousands of hours have been spent in our test laboratories to create the ASICs utilized in FlexCore processing
- There are 3 main ingredients of glass break detection: amplitude, frequency and duration. We are superior because of the many hours of research in understanding the relationship of these 3 ingredients while rejecting false alarms
- Fifty thousand pieces of glass were broken and fifty thousand false alarm events were recorded in the design of this ASIC



Reply at 1-2; POR at 37.

Ex[1008], p.2.

Ground 1 (Shaffer-Saylor) – Claim 8

8 The method of claim 1, wherein the communication channel is associated with a Virtual Talk Group (VTG).

- As described for limitation 1[a], the selected communication channel (e.g., multicast IP address) in Shaffer is for a virtual talk group, which communicates using the IP multicast address.

Ground 1 (Shaffer-Saylor) – Claims 9 & 10

- 9** The method of claim 1, wherein providing access to the video feeds depends on a video association policy.
- 10** The method of claim 9, wherein the video association policy includes a role of the user defined in a policy database.

- The '830 patent does not use the term “video association policy” but does describe:

The communication service **156** (e.g., an IPICS) is shown to include a video feed association module **158** to associate one or more video feeds with one or more communication channels and thus facilitate access to the video feed by a user of a mobile device having video capabilities.

Ex[1001], 4:29-33.

- The '830 patent also describes policies that “governs the association of video streams with communication channels and VTGs,” as well as policies that identify “available feeds” based on a “particular role” associated with the user. Ex[1001], 9:45-48, 10:61-65.
- As described for limitation 1[e], the preferences and rules stored in Saylor’s central security system databases associate video feeds with communication channels (e.g., multicast IP addresses in the combined system) using the same types of policies.
- For the same reasons described for claim 9, Shaffer-Saylor discloses claim 10.

Ground 1 (Shaffer-Saylor) – Claim 11

11[a] The method of claim 1, further comprising: identifying a geographical location of the user's mobile communication device using a Global Positioning System;

- Shaffer expressly describes using GPS for identifying a geographical location of a user's mobile communication device.

and security agencies). As the mobile endpoint (e.g., in a safety vehicle) moves between communication regions, the endpoint uses GPS information to pinpoint its location and automatically adjusts communication parameters (e.g., IP

Ex[1004] (Shaffer) [0040].

Ground 1 (Shaffer-Saylor) – Claim 11

11[b] identifying that the at least one video feed is associated with the geographical location; associating the at least one video feed with other mobile communication devices set to the same channel as the user's mobile communication device; and automatically rendering access to the at least one video feed to the other mobile communication devices.

- Shaffer-Saylor discloses that each geographic location in Shaffer (e.g., a building or a campus) can also be the source of a plurality of video feeds.

at step 420. For example, the user may register each security device, system or other combination for each property (e.g., house, business, vacation house, etc.), personal property (e.g., car, boat, mobile home, etc.), individual (e.g., spouse, child, grandparent, etc.) and others. For each identified property, personal property, individual or other, the associated security devices may be registered, at step 420.

For example, within a house, a user may have window and door contacts, smoke detectors and motion sensors, video cameras, key chain control, temperature monitors, CO and

Ex[1011] (Saylor) 10:24-34.

- As described in limitation 1[e], the video feeds in that geographical location are associated with a communication channel, such as a multicast IP address.
- Any device accessing the multicast IP address will automatically have access to the corresponding video feeds.

Ground 1 (Shaffer-Saylor) – Claim 12

12 The method of claim 1, wherein the selected communication channel is a selected audio communication channel that is selected from a plurality of audio communication channels, the at least one video feed being associated with the selected audio communication channel, and the user policy identifying the one or more video feeds that are relevant to the user when the user accesses the selected audio communication channel.

- As discussed for limitation 1[a] and claim 2, Shaffer discloses that the selected communication channel can be an “audio communication channel,” which the user selected from a plurality as the user moves from one location to another.
- As discussed for limitations 1[e] and 1[g], Shaffer-Saylor discloses a user policy stored in a database that identifies the relevant video feeds to a user of a particular group, associates the relevant video feeds with the audio communication channel for that group, and provides those feeds to the user when the user accesses that channel.

Ground 1 (Shaffer-Saylor) – Claim 13

13 The method of claim 1, wherein the user policy associates the at least one video feed with the selected communication channel based on the geographic zone from which the at least one video feed is sourced and a device group that includes the user's communication device.

- As described for claims 1 and 12, Shaffer-Saylor discloses a user policy that associates at least one video feed with the selected communication channel.
- As described for claims 2 and 9, Shaffer-Saylor discloses or renders obvious that the user policy can be based on the geographic zone from which the at least one video feed is sourced and the device group that includes the user's device.

Ground 1 (Shaffer-Saylor) – Claim 14

14 The method of claim 1, wherein the user policy associates the at least one video feed with the selected communication channel by comparing a first geographic zone from which the at least one video feed is sourced with a second geographic zone corresponding to a location of the user's communication device.

- As described for claim 2, it would have been obvious for Saylor's database to track the location of users and compare user location with the location of a device providing a video feed before associating the video feed with the communication channel including that user.

Ground 1 (Shaffer-Saylor) – Claim 15

15[pre]: An apparatus	Shaffer’s “system.” Ex[1004], Abstract, [0001]; Ex[1002], ¶136.
15[a]: at least one processor	Shaffer’s processor in a mobile communication device and in the IS. Ex[1004], [0038], [0044]-[0045], [0048]; Ex[1002], ¶137. Saylor’s server for “processing” alarm information. Ex[1011], 35:45-48; Ex[1002], ¶137.

Ground 1 (Shaffer-Saylor) – Claim 15

15[b]: <u>a memory in communication with the at least one processor</u> , the memory being configured to store a video stream association module executable by the at least one processor, the video stream association module being executed by the at least one processor to cause operations to be performed	Shaffer's memory at the mobile communication device and the IS for communicating with the processor. Ex[1004], [0031], [0036], [0038], [0040], [0044]-[0046], [0048]; Ex[1002], ¶¶138-39. Saylor's databases. Ex[1011], FIG. 1, 6:9-32, 8:34-9:21; Ex[1002], ¶¶138-39.
15[b]: a memory in communication with the at least one processor, the memory being configured to store <u>a video stream association module</u> executable by the at least one processor, the video stream association module being executed by the at least one processor to cause operations to be performed	Non-MPF Limitation: The video association module is simply stored in the memory of Shaffer's mobile device and IS, and Saylor's central security network and databases. Ex[1002], ¶¶140-42.
15[b]: a memory in communication with the at least one processor, the memory being configured to store <u>a video stream association module</u> executable by the at least one processor, the video stream association module being executed by the at least one processor to cause operations to be performed	MPF Limitation: The video stream association module includes (1) Shaffer's mobile communication device, (2) Shaffer's IS, and (3) Saylor's central security server and databases. Ex[1002], ¶143.

Ground 1 (Shaffer-Saylor) – Claim 15, Elements 15[c]-[i]

- For the reasons provided above and for claim 1, a POSITA would have found limitations 15[c]-[i] obvious in view of Shaffer-Saylor.

Ground 1 (Shaffer-Saylor) – Other Challenged Claims

- **Dependent Claims 16-19, 21-22, and 24**
 - For the reasons described for claims 2-5, 7-8, and 11, respectively, Shaffer-Saylor disclose the additional limitations of claims 16-19, 21-22, and 24.
- **Dependent Claim 23**
 - For the reasons described for claims 9 and 10, Shaffer-Saylor disclose the additional limitations of claim 23.

**Ground 2 – Claims 1–5, 8-19, 22-24
are obvious over Gogic in view of
Opitz**

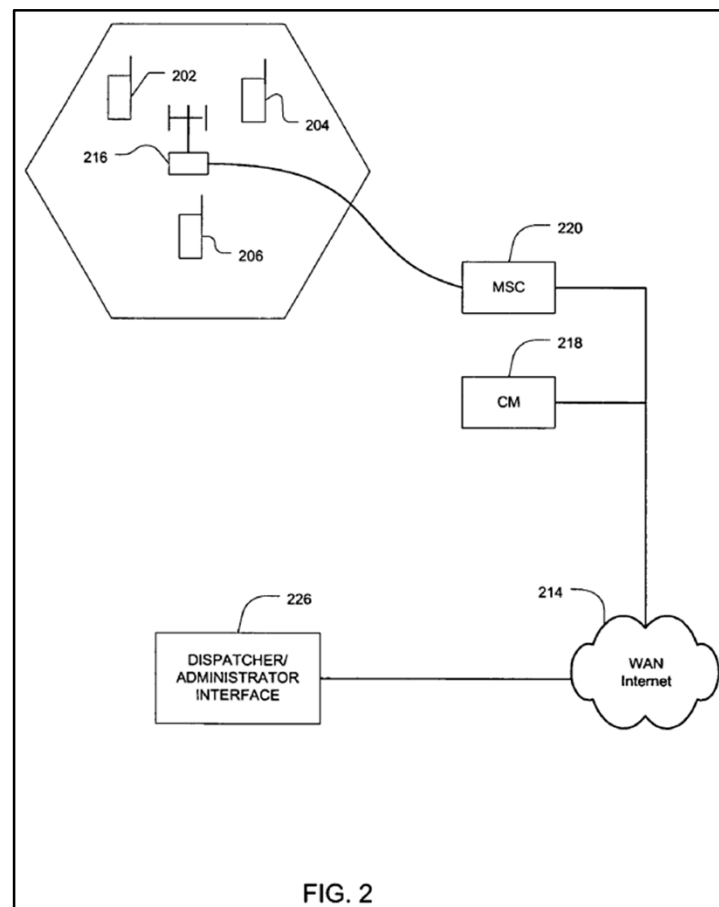
Overview – Asserted References - Gogic

- U.S. Patent Publication No. 2007/0173273 (“Gogic”) (Ex[1006])
- Gogic describes a system and method for providing communication services to an ad-hoc “group” or “net” of communication devices (CDs)—e.g., “wireless telephones,” “video cameras,” and “laptops.”

[0039] In order to participate in group communications, CDs 202, 204, and 206 are each equipped with a means for requesting the transmission privilege from a communication manager (CM) 218, as explained in greater detail below. CM 218 manages the real-time and administrative operation of groups, including PTT request arbitration (e.g., floor

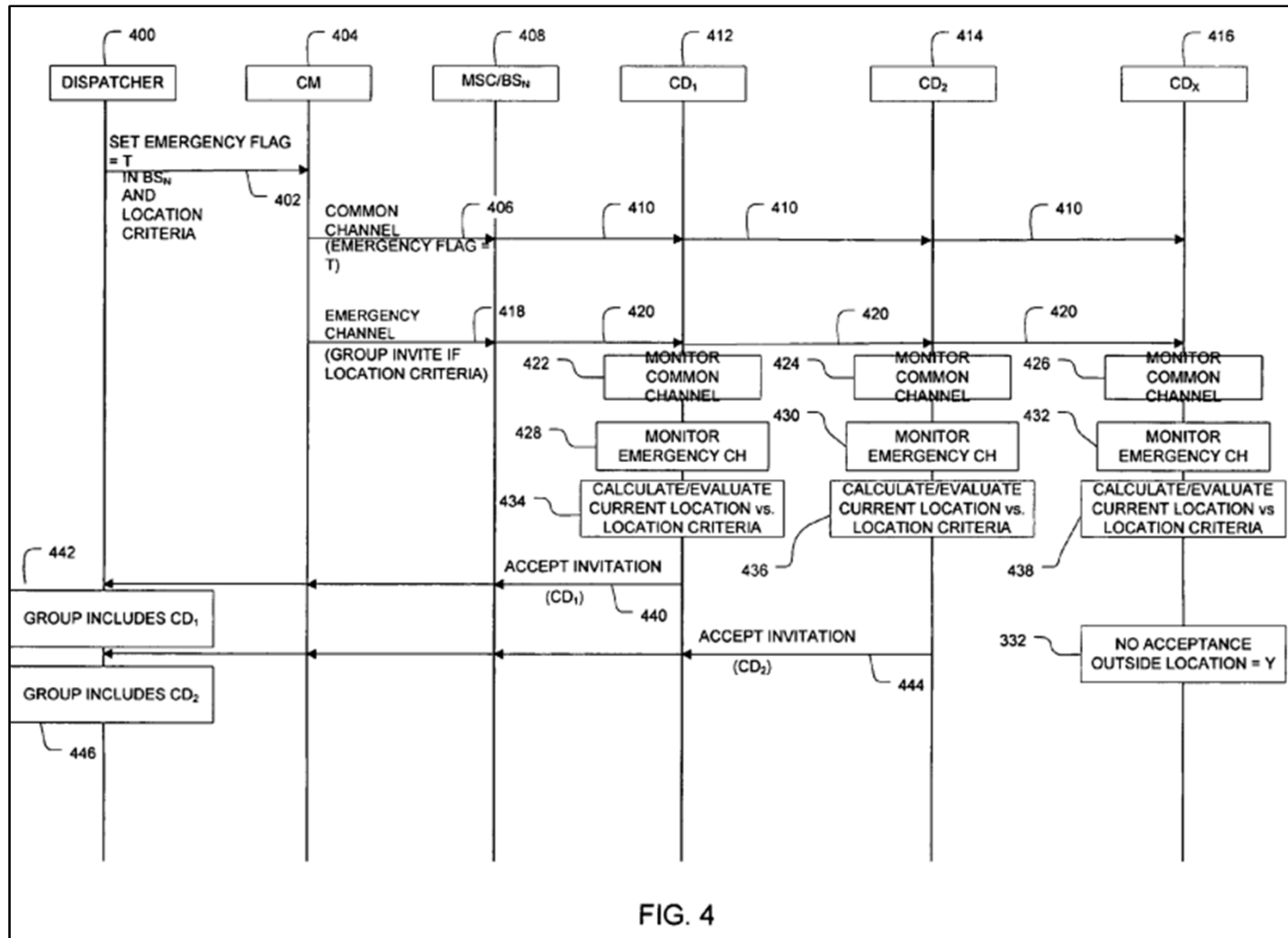
between Dispatcher 226 and CM 218. CM 218 in turn controls formation of the ad-hoc group of users when inclusive to the location-based membership criteria, hence security aspects of such a formation will be driven solely by secure access to CM 218 functions related to this application by authorized and trained persons only (e.g. Police, Emergency Crews, Fire Dept. personnel, etc.), in addition to the authorized network operator personnel. Aside from the

Ex[1006] (Gogic) [0039], [0056].



Overview – Asserted References - Gogic

- Gogic describes how CM 218 forms an ad-hoc communication group.



Ex[1006] (Gogic) FIG. 4.

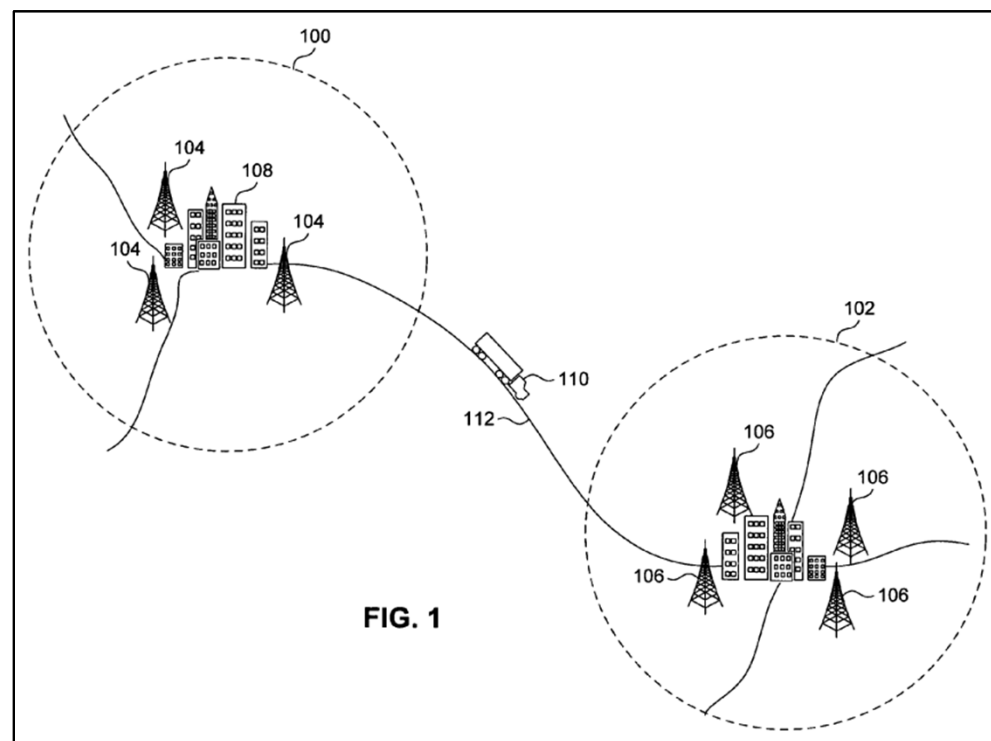
Pet. at 21-22; Ex[1006] (Gogic) FIG. 4; Ex[1002], ¶¶78-79.

Overview – Asserted References - Opitz

- U.S. Patent No. 8,090,388 (“Opitz”) (Ex[1007])
- Opitz describes a communication system in which a mobile radio 110 moves between geographic locations 100/102, with multiple base stations 104/106 and frequencies associated with each location.

The scanner 136 includes a display 248 that displays identification data corresponding to the channel being monitored by the scanner 136. The identification data can include information such as the frequency of the transmission, the name of the transmitting party, and the usage type of the transmission. The display 248 can be any suitable type of display including, but not limited to, a liquid crystal display or a light emitting diode display. In certain embodiments, the display 248 can be used by the scanner 136 to graphically present available channels to the user for review. In certain embodiments, the user can expressly select from the available channels those channels he or she wishes to scan. Only those channels selected for scanning are then included in the scan list. The scanner 136

In some embodiments, the position locator 244 can use a combination of methods and/or devices to determine the location of the scanner 136, or at least the receiver 232. For example, in some embodiments the position locator 244 can use a GPS system in addition to, or in concert with, the signal



Ex[1007] (Opitz) 5:3-15, 6:13-17, FIG. 1.

Ground 2 (Gogic-Opitz) – Claim 1, Preamble 1[Pre]

1[Pre] A method comprising:

(57)

ABSTRACT

A system, method, and media for providing group communication services to an ad-hoc group formed according to vicinity with other users of communication devices in a communication system. Communicating among a commu-

Ex[1006] (Gogic) Abstract.

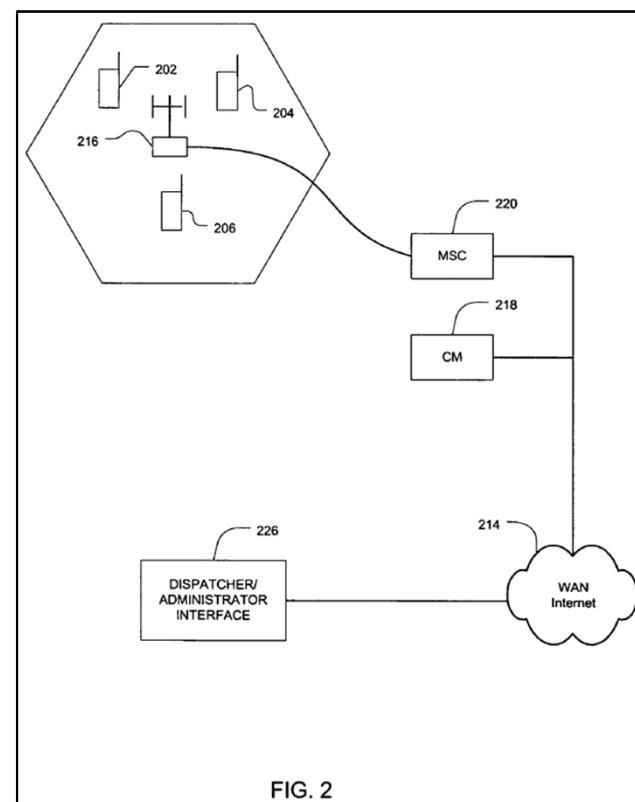
Ground 2 (Gogic-Opitz) – Claim 1, Element 1[a]

1[a] monitoring a selection of a communication channel by a user of a mobile communication device;

- Gogic describes an ad-hoc group of CDs (e.g., CDs 202, 204, 206) having a designated communication channel, for example, over the “Internet” or “a dedicated forward channel” in a radio system.

[0045] In one embodiment, data network 214 is the Internet. In another embodiment, a dedicated forward channel is established in each communication system (i.e. a terrestrial communication system and a satellite communication system) for broadcasting information from each group member to the other group members. Each group member receives communications from other group members over the common channel.

Ex[1006] (Gogic) [0045].



Ex[1006] (Gogic) FIG. 2.

Ground 2 (Gogic-Opitz) – Claim 1, Element 1[a]

1[a] monitoring a selection of a communication channel by a user of a mobile communication device;

- The user of a mobile CD selects a communication channel, for example, through activation of a push-to-talk (PTT) key or switch.

[0042] In one embodiment of the present invention, the CD is configured to request the transmission privilege through initiation or activation of a push-to-talk (PTT) key or switch. When a user of a CD in communication system 200 desires to transmit information to other group members, the push-to-talk switch located on the CD is depressed, sending a request (e.g., floor request) to obtain the transmission privilege from communication manager 218. If no

Ex[1006] (Gogic) [0042].

[0026] A common form of group communications is known as “Push-To-Talk”, commonly abbreviated as PTT. The characteristics of such a communication method includes conversing on half-duplex communication lines by pushing a button to allow voice communication to be transmitted and releasing the button to allow voice communication to be received. Such PTT features are being imple-

Ex[1006] (Gogic) [0026].

Ground 2 (Gogic-Opitz) – Claim 1, Element 1[a]

1[a] monitoring a selection of a communication channel by a user of a mobile communication device;

- The selection of the communication channel by the user of a CD is monitored by the communication manager 218 (CM 218).

or switch. When a user of a CD in communication system 200 desires to transmit information to other group members, the push-to-talk switch located on the CD is depressed, sending a request (e.g., floor request) to obtain the transmission privilege from communication manager 218. If no other group member is currently assigned the transmission privilege and the communication criteria in effect does not so prohibit or deny the floor, the requesting user is granted (e.g., floor grant) the transmission privilege and is notified by an audible, visual, or tactile alert through the CD. After

Ex[1006] (Gogic) [0042].

Ground 2 (Gogic-Opitz) – Claim 1, Element 1[a]

Gogic teaches limitation 1[a]

- PO does **not** dispute that Gogic's CDs communicate over a channel, that a CD user communicates on that channel by activating a PTT key, or that Gogic's CM 218 monitors the user's activation of the PTT key.
- The intrinsic record does not support PO's argument that activation of a PTT key is not the claimed selection because the user cannot select a channel that "**exist[s]**" and was set up by a dispatcher.
- The claims do **not** require that the user **create** the channel, and the '830 Patent's specification exclusively describes preexisting channels.

reference thereto. In the method 400, a user interface may optionally be presented to a user (e.g., the user 305.1-305.q or 307.1-307.r) to allow the user to select a communication channel 302.1-302.n to which his/her mobile communication device 304.1-304.q or 306.1-306.r is to be set or tuned to. The

Ex[1001] 6:24-28.

Reply at 17-18; POR at 38-41; Ex[1001] 6:18-42, FIG. 4.

Ground 2 (Gogic-Opitz) – Claim 1, Element 1[a]

Gogic teaches limitation 1[a]

- Dependent claim 5 recites “wherein ***the communication channel is a Push-To-Talk (PTT) channel*** in a PTT communication network and ***the mobile communication device is a PTT radio***.”
- PO’s expert agreed that the communication channel in claim 1 could be a PTT channel.

Q Okay. So given that claim 5 specifies that the communication channel is a push-to-talk channel in a push-to-talk communication network, would you agree that the communication channel in claim 1 could be a push-to-talk communication channel in a push-to-talk communication network?

A I think the answer to that question is yes.

Ex[1036], 49:21-50:11.

- Gogic teaches a user selecting an existing PTT communication channel as described in the '830 Patent.
- PO’s argument that Gogic’s CM does not “monitor the selection of the channel” because it “prevent[s] crosstalk” is unavailing because the CM monitor’s the user’s selection of the channel for talking to ensure that other users do not talk at the same time on that channel.

Reply at 17-18; POR at 40; Ex[1001] 6:18-42, FIG. 4, cl. 5; Ex[1006] (Gogic) [0042], [0045]; Ex[1002], ¶¶157-58.

Ground 2 (Gogic-Opitz) – Claim 1, Element 1[b]

1[b] providing a plurality of radio frequencies on a display of the mobile communication device, each radio frequency being associated with a geographical zone;

- Gogic's CDs transmit and receive communication signals to and from a base station 216 under the control of the CM 218.
- A CD's connection to a base station is a prerequisite to joining an ad-hoc group.

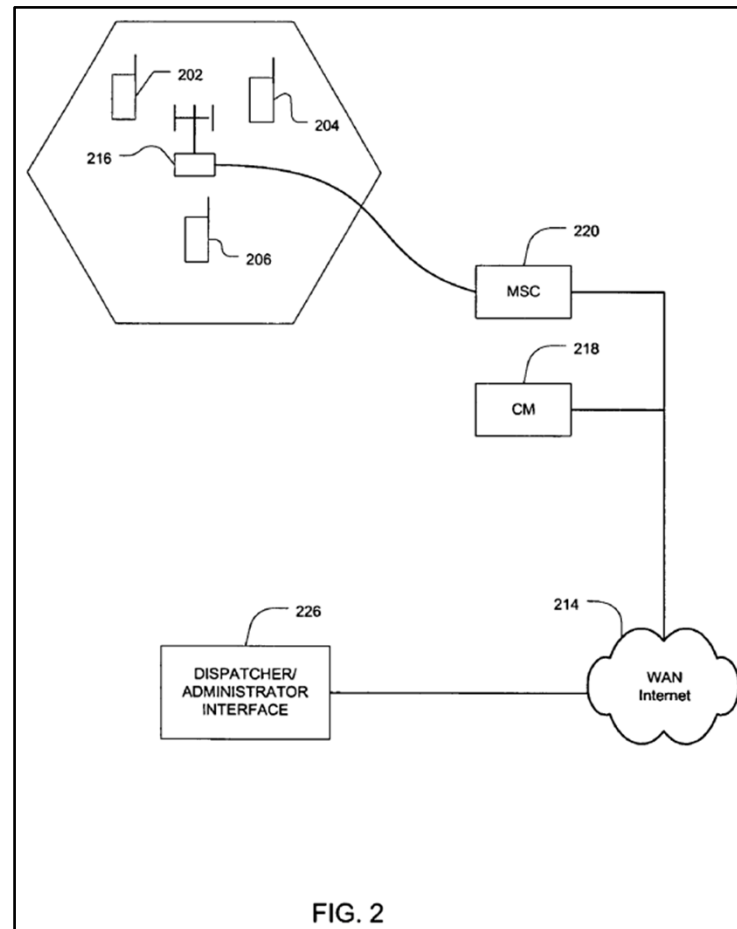
previously directed 418 by CM 404 transmits 420 a broad or indiscriminant or generalized invitation to join a group to all recipient CDs with their invitation acceptance being conditional upon the CD qualifying according to the location criteria also transmitted in the broad indiscriminant invitation.

Ex[1006] (Gogic) [0060].

- CDs connect to a base station in a particular area:

[0058] In another embodiment of the present invention, dispatcher 400 also specifies a group membership location criteria such as region or location criteria defining the inclusive boundary of users that are invited to join the group.

Ex[1006] (Gogic) [0058].



Ex[1006] (Gogic) FIG. 2.

Ground 2 (Gogic-Opitz) – Claim 1, Element 1[b]

1[b] providing a plurality of radio frequencies on a display of the mobile communication device, each radio frequency being associated with a geographical zone;

- Gogic does not expressly disclose **how** the CDs make that initial connection needed to form the ad-hoc group.
- A POSITA would have understood that there were a finite number of predictable options for selecting a radio frequency for connecting a radio to a base station.
- Opitz describes one known example—displaying available radio frequencies on the display of a mobile communication device and allowing a user of the device to select one of those frequencies.

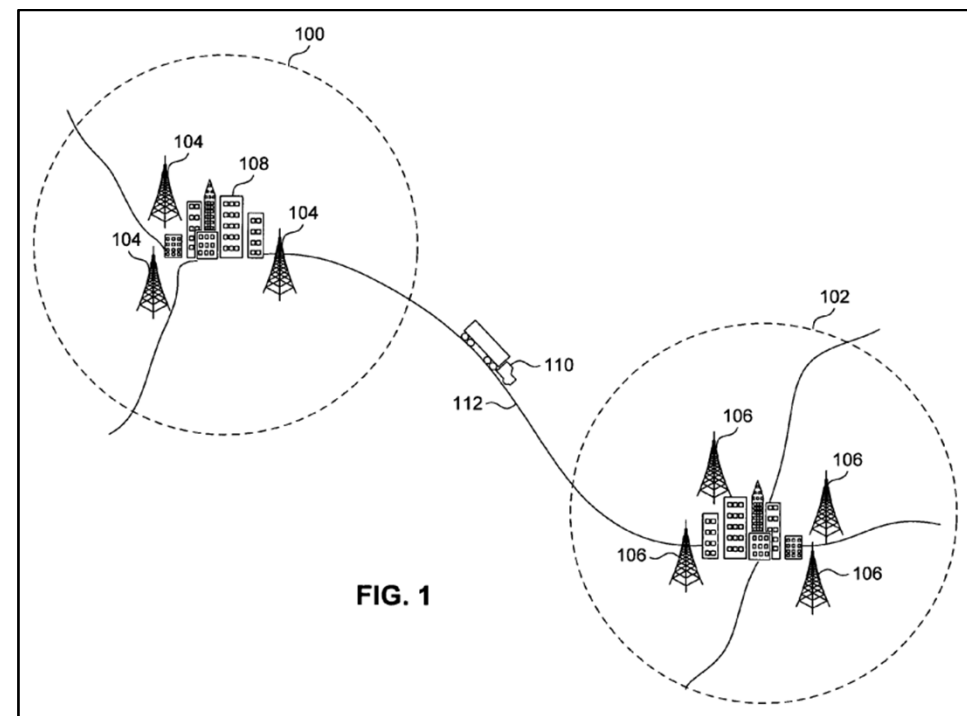
Ground 2 (Gogic-Opitz) – Claim 1, Element 1[b]

1[b] providing a plurality of radio frequencies on a display of the mobile communication device, each radio frequency being associated with a geographical zone;

- Opitz describes a system with base stations 104 and 106 for transmitting radio signals to users 110 in two different geographic regions 100 and 102.
- The radio signals are associated with a geographical area.

time. As the vehicle 134 approaches certain geographic regions, the onboard scanner 136 begins receiving signals from sources of wireless transmissions within those regions, and so certain groups, or “systems” of channels, which serve as examples of sources of wireless signals, may be unlocked, and thereby included in the set of channel systems to be scanned by the scanner 136. These will generally include

Ex[1007] (Opitz) 3:50-56.



Ex[1007] (Opitz) FIG. 1.

Ground 2 (Gogic-Opitz) – Claim 1, Element 1[b]

1[b] providing a plurality of radio frequencies on a display of the mobile communication device, each radio frequency being associated with a geographical zone;

- Opitz's base stations 104 and 106 in geographic regions 100 and 102 support communicating a variety of signals.

FIG. 1 shows a first geographic region 100 and a second geographic region 102. Geographic region 100 includes a plurality of radio transmitters 104 and geographic region 102 includes a plurality of radio transmitters 106. Signals from transmitters 104 can generally be received within the region 100. Signals from transmitters 106 can generally be received within the region 102. The transmitters 104 and 106 can include transmitters and repeaters for transmitting commercial radio or television signals, non-commercial radio signals (e.g., police, fire, ambulance, weather, aviation, marine, or amateur radio), cellular telephone signals, pager signals, or other wireless communication signals.

Ex[1007] (Opitz) 2:20-31.

Ground 2 (Gogic-Opitz) – Claim 1, Element 1[b]

1[b] providing a plurality of radio frequencies on a display of the mobile communication device, each radio frequency being associated with a geographical zone;

- Opitz's vehicle includes scanning functionality and a display 248 that allows a user to select from the available channels that a user wishes to scan.

The scanner 136 includes a display 248 that displays identification data corresponding to the channel being monitored by the scanner 136. The identification data can include information such as the frequency of the transmission, the name of the transmitting party, and the usage type of the transmission. The display 248 can be any suitable type of display including, but not limited to, a liquid crystal display or a light emitting diode display. In certain embodiments, the display 248 can be used by the scanner 136 to graphically present available channels to the user for review. In certain embodiments, the user can expressly select from the available channels those channels he or she wishes to scan. Only those channels selected for

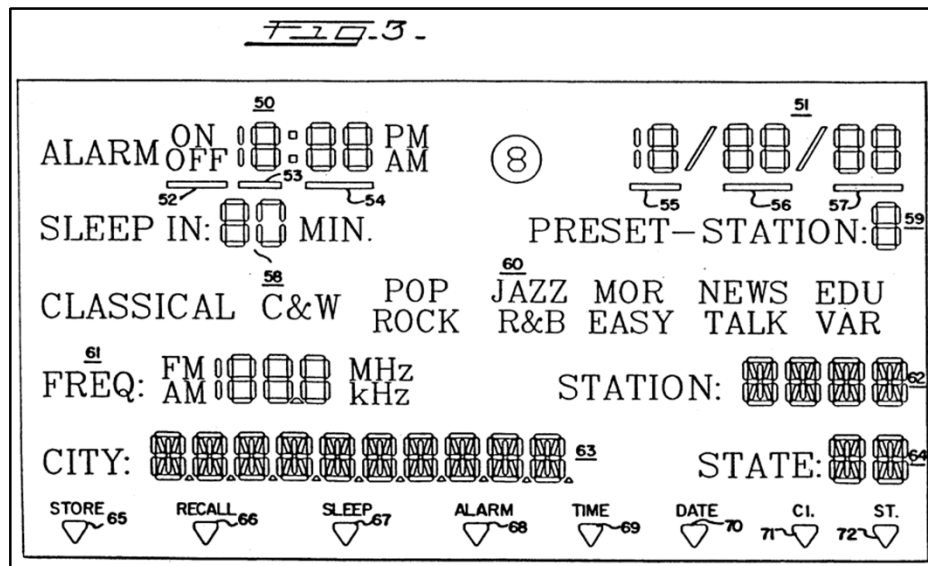
Ex[1007] (Opitz) 5:3-14.

Ground 2 (Gogic-Opitz) – Claim 1, Element 1[b]

1[b] providing a plurality of radio frequencies on a display of the mobile communication device, each radio frequency being associated with a geographical zone;

It would have been obvious to implement Gogic's CDs with the frequency display and selection in Opitz's mobile radio.

- Gogic's ad-hoc group formation **requires** each CD to connect to a base station.
- Opitz's frequency display and selection is one of a finite number of obvious ways to accomplish this and using a display to present frequencies and allow user selection had been known for **decades** by 2008.



Ex[1012] FIG. 3.

Ground 2 (Gogic-Opitz) – Claim 1, Element 1[b]

1[b] providing a plurality of radio frequencies on a display of the mobile communication device, each radio frequency being associated with a geographical zone;

A POSITA would have been motivated to look to Opitz

Gogic's Disclosure	Opitz's Disclosure
System relating to emergency communication situations	System relating to emergency communication situations
Communications with “[p]olice, [e]mergency [c]rews, [f]ire [d]ept. personnel, etc.”	Municipal police, fire and rescue communications channels.
CDs communicating via base stations	Scanning radios communicating via base stations
Mobile CDs that can move between base station locations	Mobile scanning radios that can move between base station locations

Ex[1006] (Gogic) [0003], [0043]-[0045], [0056]-[0058].

Ex[1007] (Opitz) 2:40-58; 3:3-4, 11:52-67.

- Thus, a POSITA would have recognized that Opitz's techniques are suitable for application in Gogic's system and would provide the beneficial functionality disclosed in Opitz.

Ground 2 (Gogic-Opitz) – Claim 1, Element 1[b]

1[b] providing a plurality of radio frequencies on a display of the mobile communication device, each radio frequency being associated with a geographical zone;

A POSITA would have had a reasonable expectation of success in implementing Gogic’s CDs with the known frequency display and selection of Opitz’s mobile radio.

- The concept of a mobile radio displaying frequencies to a user associated with base stations in geographic regions had been known for decades by 2008 (e.g., users of AM/FM radios moving between locations).
- A POSITA would have recognized that Gogic’s CDs could readily accommodate display and selection of frequency information for a geographic zone associated with a base station.
- A POSITA could have easily used Opitz’s known scanning radio with Gogic’s system such that the radio could allow a user to select the particular “transmitting party” and “usage type” it would like to monitor.

Ground 2 (Gogic-Opitz) – Claim 1, Element 1[b]

1[b] providing a plurality of radio frequencies on a display of the mobile communication device, each radio frequency being associated with a geographical zone;

A POSITA would have combined Gogic with Opitz.

- PO's first argument—that Gogic explains how the CDs connect to the base station—misstates the Petition and the prior art.
- PO cites portions of Gogic describing how the ad-hoc **group** is formed and how a CD joins the ad-hoc group, **not** how the CDs initially connect with the base station before the group is formed.

disclosure).” Petition, 59. However, Gogic clearly explains how this initial connection is made, which the Petition itself details.

CM 218 sends a message (406) directing a base station (MSCBSN 408) to send an invitation (420) to all CDs in its service area (412, 414, 416). [Ex. 1006], ¶¶0060-0061. CDs ‘calculate their location and evaluate [] their location against the group membership location criteria,’ provided in the invitation 420. *Id.*, ¶0062. *If a CD qualifies and accepts the invitation, the CD accesses the communication group. Id.*

Petition, 21; *see also* Petition, 58 (“the base station, as directed by the CM, transmits a ‘broad or indiscriminant [sic] or generalized invitation to join a group to all recipient CDs’ with specific conditions for joining the group.” (quoting Ex. 1006, ¶ [0060])); Ex. 2006, ¶¶ 109-111.

POR, 41-42.

Ground 2 (Gogic-Opitz) – Claim 1, Element 1[b]

1[b] providing a plurality of radio frequencies on a display of the mobile communication device, each radio frequency being associated with a geographical zone;

A POSITA would have combined Gogic with Opitz.

- PO's expert's testimony that Gogic's CDs "do not **need** to make an initial connection with a base station" does not make sense.
- Gogic describes that a CD must receive an invitation from a base station before joining a group.

previously directed 418 by CM 404 transmits 420 a broad or indiscriminant or generalized invitation to join a group to all recipient CDs with their invitation acceptance being conditional upon the CD qualifying according to the location criteria also transmitted in the broad indiscriminant invitation.

Ex[1006] (Gogic) [0060].

- Gogic therefore discloses that CDs connect to a base station in a particular area but does not explain how that is accomplished.

Ground 2 (Gogic-Opitz) – Claim 1, Element 1[b]

1[b] providing a plurality of radio frequencies on a display of the mobile communication device, each radio frequency being associated with a geographical zone;

A POSITA would have combined Gogic with Opitz.

- PO cites no disclosure in Gogic explaining how the initial connection to the base station occurs:
 - Gogic [0012] only describes CDs in a wireless system that includes base stations.
 - Gogic [0031] only describes communications “depending on proximity,” which PO’s expert admits is **not** a technique by which CDs connect to a base station.

Q Okay. This disclosure does not discuss making initial connections with a base station based on proximity, correct?

Ex[1036], 98:3-9.

A That's fair. Because I explain in paragraph 113 how you can make an initial connection. So I elaborate on that in the next paragraph.

- Gogic [0037] merely describes that a CD can operate in different modes.
- Gogic [0057]-[0060] describe communication on a common channel **after** making the initial connection to the base station.

Reply at 20; Ex[1002] ¶¶160-66.

Ground 2 (Gogic-Opitz) – Claim 1, Element 1[b]

1[b] providing a plurality of radio frequencies on a display of the mobile communication device, each radio frequency being associated with a geographical zone;

A POSITA would have combined Gogic with Opitz.

- PO lacks support for its “teaching away” theory.
- It is PO, **not** Opitz, that uses the term “persistent” radio networks without explaining its meaning.
- Gogic expressly teaches “dedicated” radio channels and CDs communicating on a radio network.

net. In another embodiment, a dedicated forward channel is established in each communication system (i.e. a terrestrial

Ex[1006] (Gogic) [0045].

- Further, PO cites *Apple Inc. v. Uniloc Luxembourg S.A.*, IPR2018-00420, Paper 7 at 14 (P.T.A.B. Aug. 6, 2018) to undermine Dr. Polish’s opinions. That case is irrelevant because it involved different patents, prior art and, importantly, entirely different testimony from Dr. Polish.

Ground 2 (Gogic-Opitz) – Claim 1, Element 1[b]

1[b] providing a plurality of radio frequencies on a display of the mobile communication device, each radio frequency being associated with a geographical zone;

A POSITA would have combined Gogic with Opitz.

- PO's expert admitted that he has no opinions that Gogic teaches away from or denigrates providing frequencies on a display for selection, the specific aspect of Opitz that Petitioner's expert relies on for the combination.

Q Okay. And in paragraphs 139 through 141,
you don't ever reach the conclusion that Gogic
teaches away from Opitz's disclosure of displaying
and selecting radiofrequencies, correct?

A I don't believe I render that opinion.

Ex[1036], 108:22-109:4.

- A reference that “does not criticize, discredit, or otherwise discourage investigation into’ the claimed invention does not teach away.” *Meiresonne v. Google, Inc.*, 849 F.3d 1379, 1382 (Fed. Cir. 2017).

Reply at 21.

Ground 2 (Gogic-Opitz) – Claim 1, Element 1[b]

1[b] providing a plurality of radio frequencies on a display of the mobile communication device, each radio frequency being associated with a geographical zone;

Gogic-Opitz teaches limitation 1[b]

- PO rehashes its flawed motivation to combine arguments to attempt to argue that Gogic-Opitz does not teach limitation 1[b].
- PO does not explain why a POSITA knowing a “variety of ways” to connect CDs and base stations “undercuts” the assertion that Gogic could be modified based on Opitz.
- PO’s argument that Opitz is cumulative of Winter is irrelevant because the Examiner never contended that Winter taught radio frequencies ***on a display***.

with the geographical zone. Winter teaches in Fig. 2 teaches radio frequency for certain geographic area and determining customer location. It would have been obvious to one

Ex[1003], 191.

Ground 2 (Gogic-Opitz) – Claim 1, Element 1[b]

1[b] providing a plurality of radio frequencies on a display of the mobile communication device, each radio frequency being associated with a geographical zone;

Gogic-Opitz teaches limitation 1[b]

- PO mischaracterizes the Petition by incorrectly presuming that the Gogic-Opitz combination bodily incorporates Opitz’s so-called “vehicle radio.”
- Ground 2 relies on Gogic for the mobile communication device, and Gogic teaches that its CDs include “laptop[]” computers than can be mobile—i.e., in vehicles.

telephones. In other embodiments, the various CDs may comprise wireless video cameras, still cameras, audio devices such as music recorders or players, laptop or desktop computers, or paging devices. In another embodiment, at

Ex[1006] (Gogic) [0035].

- Neither PO nor its expert explain why it would be “nonsensical” to provide radio frequencies associated with video feeds on a display of Gogic’s laptop computers in a vehicle.

Ground 2 (Gogic-Opitz) – Claim 1, Element 1[c]

1[c] from which a plurality of video feeds associated with the geographic zone are sourced;

- Gogic's CDs support real-time video data:

telephones. In other embodiments, the various CDs may comprise wireless video cameras, still cameras, audio devices such as music recorders or players, laptop or desktop computers, or paging devices. In another embodiment, at least one CD comprises a combination of the just-described embodiments. For example, CD 202 could comprise a wireless terrestrial telephone equipped with a video camera

Ex[1006] (Gogic) [0035].

top computers, digital cameras, video cameras, etc. Furthermore, it should be understood that the present invention is applicable to both real-time data, such as audio and video data (including voice data) and time-independent data, such

Ex[1006] (Gogic) [0025].

- As described for limitation 1[b], each base station in Gogic is associated with a geographic zone such that each video feed from a CD connected to the base station is also associated with the geographic zone.

Ground 2 (Gogic-Opitz) – Claim 1, Element 1[d]

1[d] monitoring a selection of a radio frequency of the plurality of radio frequencies by the user;

- For the same reasons described for limitation 1[b], Gogic-Opitz renders obvious a mobile communication device that monitors the selection of a radio frequency on a display by a user.
- For example, Opitz's vehicle's radio includes scanning functionality and a display 248 that allows a user to select from the available channels those channels a user wishes to scan.

The scanner 136 includes a display 248 that displays identification data corresponding to the channel being monitored by the scanner 136. The identification data can include information such as the frequency of the transmission, the name of the transmitting party, and the usage type of the transmission. The display 248 can be any suitable type of display including, but not limited to, a liquid crystal display or a light emitting diode display. In certain embodiments, the display 248 can be used by the scanner 136 to graphically present available channels to the user for review. In certain embodiments, the user can expressly select from the available channels those channels he or she wishes to scan. Only those channels selected for

Ex[1007] (Opitz) 5:3-14.

Ground 2 (Gogic-Opitz) – Claim 1, Element 1[e]

1[e] identifying at least one video feed by selecting the at least one video feed from the plurality of video feeds associated with the geographic zone, wherein the at least one video feed is associated with the selected communication channel based on a user policy that identifies one or more video feeds that are relevant to the user when the user accesses the selected communication channel,

- CM 218 forms an ad-hoc group of CDs that identifies and selects at least one video feed (at least one CD with video streaming capability) from the plurality of video feeds (CDs) in the identified geographic zone (the location of the base station to which the CDs are connected).

between Dispatcher 226 and CM 218. CM 218 in turn controls formation of the ad-hoc group of users when inclusive to the location-based membership criteria, hence security aspects of such a formation will be driven solely by secure access to CM 218 functions related to this application by authorized and trained persons only (e.g. Police, Emergency Crews, Fire Dept. personnel, etc.), in addition to the authorized network operator personnel. Aside from the

[0057] FIG. 4 illustrates the formation of an ad-hoc group in response to an emergency notification, wherein the group is formed on the basis of proximity to a designated location.

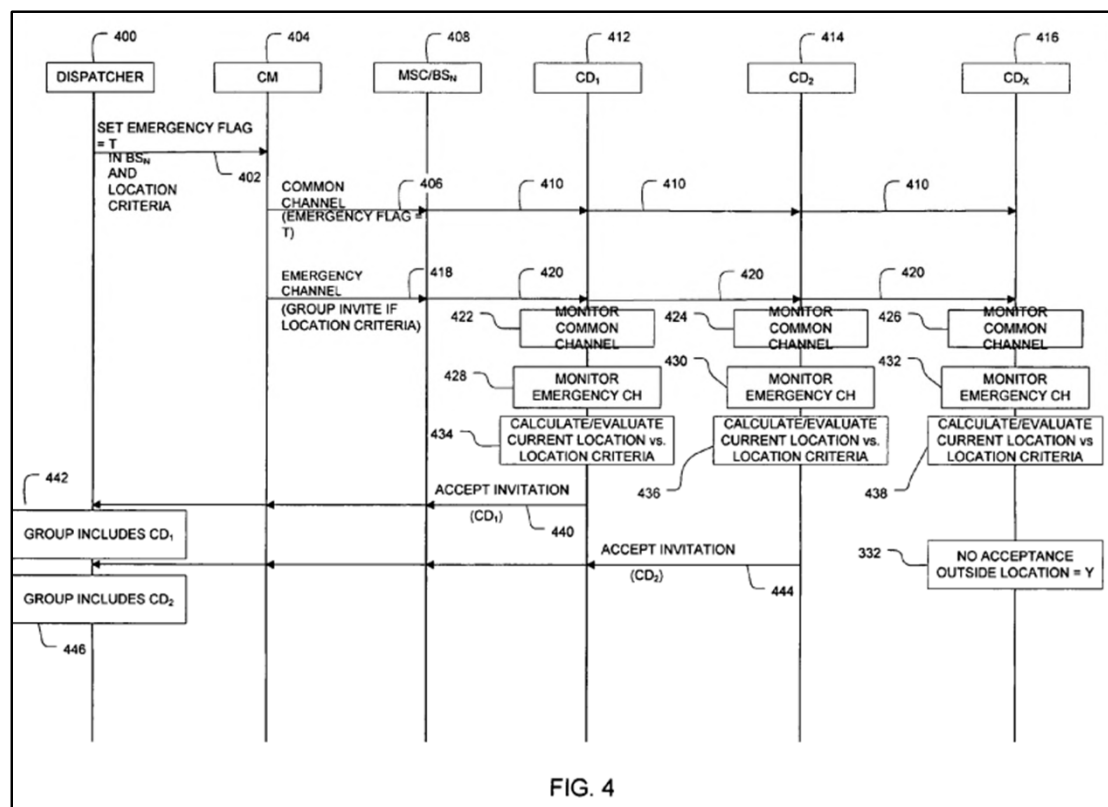
[0058] In another embodiment of the present invention, dispatcher 400 also specifies a group membership location criteria such as region or location criteria defining the inclusive boundary of users that are invited to join the group. By way of example and not limitation, representative location criteria may include a location centerpoint and an

Ex[1006] (Gogic) [0056]-[0058].

Ground 2 (Gogic-Opitz) – Claim 1, Element 1[e]

1[e] identifying at least one video feed by selecting the at least one video feed from the plurality of video feeds associated with the geographic zone, wherein the at least one video feed is associated with the selected communication channel based on a user policy that identifies one or more video feeds that are relevant to the user when the user accesses the selected communication channel,

- The video feed identified by the CM 218 is associated with the selected communication channel based on a user policy.
- The user policy is the “group membership location criteria” that allows users to join an ad-hoc group only if they are within a certain area.

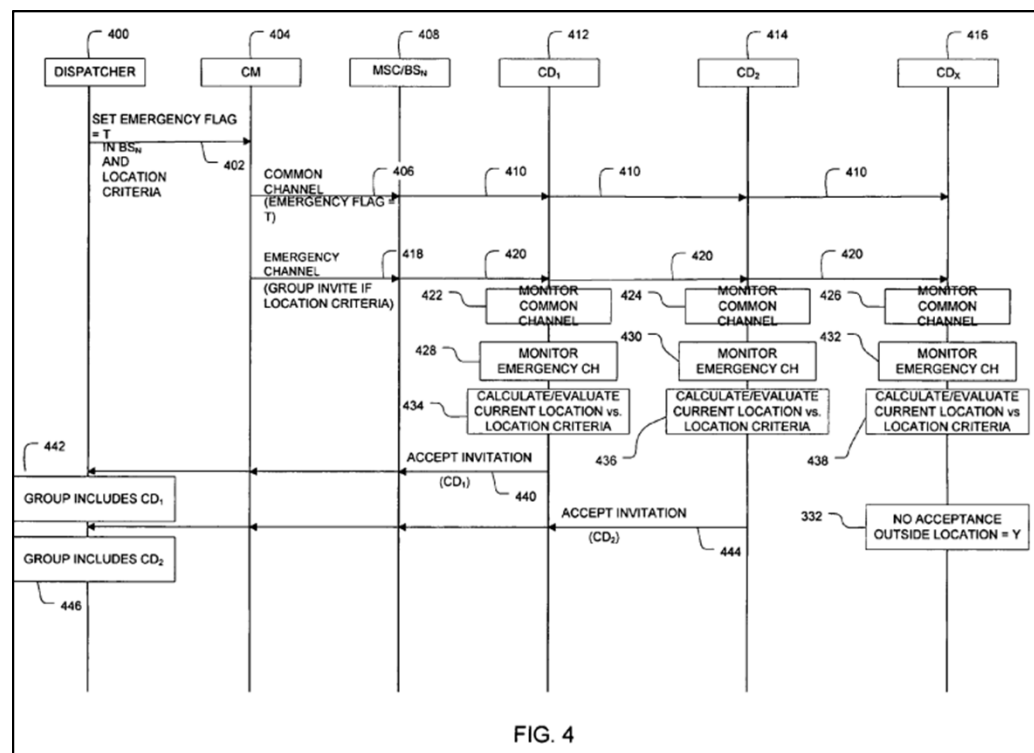


Ex[1006] (Gogic) FIG. 4.

Ground 2 (Gogic-Opitz) – Claim 1, Element 1[e]

1[e] identifying at least one video feed by selecting the at least one video feed from the plurality of video feeds associated with the geographic zone, wherein the at least one video feed is associated with the selected communication channel based on a user policy that identifies one or more video feeds that are relevant to the user when the user accesses the selected communication channel,

- The “group membership location criteria” (user policy) identify one or more video feeds that are relevant to the user when the user accesses the selected communication channel.
- A CD accesses the communication channel when the CD determines it satisfies the location criteria
 - E.g., compare CD 412/414 and CD 416.



Ex[1006] (Gogic) FIG. 4.

Ground 2 (Gogic-Opitz) – Claim 1, Element 1[e]

1[e] identifying at least one video feed by selecting the at least one video feed from the plurality of video feeds associated with the geographic zone, wherein the at least one video feed is associated with the selected communication channel based on a user policy that identifies one or more video feeds that are relevant to the user when the user accesses the selected communication channel,

- In Gogic, when the user accesses the channel, the group membership location criteria will identify the other group members relevant to the user at the time of access.

[0057] FIG. 4 illustrates the formation of an ad-hoc group in response to an emergency notification, wherein the group is formed on the basis of proximity to a designated location. A dispatcher 400 identifies the occurrence or presence of an event or condition wherein communications between proximately located users could be beneficial. Dispatcher 400

Ex[1006] (Gogic) [0057].

- Example: When the user accesses the communication channel of an ad-hoc group relating to a car accident at a particular location, the user will receive video feeds from police officers or other emergency personnel responding to the same incident.

[0009] There is a need for emergency response teams to establish communication with any and all users in an area affected by a large scale natural disaster, without straining available telecommunication resources excessively and for users in an area to be given emergency assistance information that is specific to the area where they are located.

Ex[1006] (Gogic) [0009].

Ground 2 (Gogic-Opitz) – Claim 1, Element 1[e]

Gogic discloses “identifying at least one video feed by selecting the at least one video feed from the plurality of video feeds associated with the geographic zone”

- Contrary to PO’s arguments, the Petition clearly identified the claimed “video feeds.”

First, Gogic’s system (including, for example, CM 218) forms an ad-hoc group of CDs that identifies and selects at least one video feed (at least one CD, which can have video streaming capability, §VIII.B.1.d) from the plurality of video feeds (CDs) in the identified geographic zone (the location of the base station to which the CDs are connected). Ex[1002], ¶107. CM 218 “controls formation” of an

Pet. at 65.

- There is no ambiguity (or dispute) that Gogic teaches multiple CDs that can be mobile communication devices that receive video streams from other CDs.
- The Petition does not rely on the same CD for both the communication device and the video feed.
- Nothing in the claim language precludes a video feed created by a mobile communication device.

Reply at 23; POR at 52-54.

Ground 2 (Gogic-Opitz) – Claim 1, Element 1[e]

Gogic discloses “identifying at least one video feed by selecting the at least one video feed from the plurality of video feeds associated with the geographic zone”

- PO’s cited cases are inapposite.
 - *Intelligent Bio-Sys., Inc. v. Illumina Cambridge Ltd.*, 821 F.3d 1359, 1369 (Fed. Cir. 2016): The Federal Circuit found that the Board correctly ignored the petitioner’s “improper reply brief” because it raised new invalidity grounds.
 - *Google Inc. v. EveryMD.com LLC*, IPR2014- 00347, Paper 9 (P.T.A.B. May 22, 2014): The Board denied institution where the petitioner submitted a claim chart with citations that did not explain how the prior art taught the claims.
- There are no similar facts here.

Ground 2 (Gogic-Opitz) – Claim 1, Element 1[e]

Gogic discloses “identifying at least one video feed by selecting the at least one video feed from the plurality of video feeds associated with the geographic zone”

- PO incorrectly argues that because only one communication device in Gogic can transmit at a time, there is no identification/selection of a video feed from among a plurality of video feeds.
- PO ignores Gogic’s disclosure that the ad-hoc group can include a plurality of video feeds in one geographic zone.
- Gogic’s ad-hoc group is formed from amongst all CDs based on “location-based membership criteria.”
 - CM 218 identifies/selects **only a subset of video feeds** (“at least one”) within the overall geographic zone for the base station.
- The claim language does not specify what aspect of the system performs the “selecting” and does not exclude selecting by CM 218.

Ground 2 (Gogic-Opitz) – Claim 1, Element 1[f]

1[f] the one or more video feeds being independent of the selected communication channel; and

- In Gogic, the video feeds (CDs with video streaming capability) can be independent of the communication channel set up for the ad-hoc group.
- For example, CDs can comprise “wireless video cameras” existing in a “public” or “non-public” location. Ex[1004] (Gogic) [0035].
- Further, the group can be formed and torn down by CM 218 in response to events unrelated to the CDs.

members within their own group. In yet other situations, groups may not be pre-defined, but they can be formed in an ad-hoc fashion, typically by a user who invites other users to the ad-hoc group one at a time. Upon termination of the ad-hoc communication session, the group formed in this fashion is disbanded.

Ex[1006] (Gogic) [0034].

Ground 2 (Gogic-Opitz) – Claim 1, Element 1[f]

The District Court’s Claim Construction of Limitation 1[f]

- The District Court construed limitation 1[f] as follows:

“the one or more video feeds being independent of the selected communication channel” ’830 Patent: Claim 1	“the one or more video feeds being capable of being associated with more than the selected communication channel.”
---	---

- Neither party proposed this construction, and the court’s claim construction order did not issue until well after the Petition’s filing.
- Nevertheless, Gogic discloses the same type of “independent video surveillance cameras” disclosed in the ’830 Patent, where any CD providing a video feed can be selected for use with any channel or ad-hoc group.

Ground 2 (Gogic-Opitz) – Claim 1, Element 1[g]

1[g] providing access to the identified at least one video feed to the mobile communication device based on the user policy.

- As described for limitation 1[e], when the CD accepts the invitation to join the ad-hoc group, the user of the mobile CD is provided access to at least one video feed in the ad-hoc group based on the group membership location criteria (user policy).

Ground 2 (Gogic-Opitz) – Claim 2

2 The method of claim 1, wherein providing access comprises associating the identified at least one video feed with the mobile communication device in a database that is used to manage access to independent video feeds in a network based on audio communication channels that are selected by communication devices in the network.

- Gogic discloses a “database” for managing access to independent video feeds in a network.
- As described for limitations 1[c] and 1[g], an ad-hoc group or “net” in Gogic may contain one or more CDs that source video feeds.

[0034] The term “group” or “net” denotes a collection of communication device users authorized to communicate with each other. Generally, a central database contains information identifying the members of each particular group. More than one group may operate in the same

Ex[1006] (Gogic) [0034].

- By tracking group membership, the database associates the identified video feeds with the mobile communication device accessing the communication channel.

Ground 2 (Gogic-Opitz) – Claim 2

2 The method of claim 1, wherein providing access comprises associating the identified at least one video feed with the mobile communication device in a database that is used to manage access to independent video feeds in a network based on audio communication channels that are selected by communication devices in the network.

- The database manages access to independent video feeds based on audio communication channels that are selected by communication devices in the network.
- The channel selected by the communication device via the PTT button (see limitation 1[a]) is an audio communication channel:

been granted. Audio, visual, or other information from the first group member may then be transmitted to the other group members by sending the information to CM 218, using one of the just-described transmission paths. In one

Ex[1006] (Gogic) [0048].

- Accordingly, when a database stores membership identification for each ad-hoc group, it associates the video feeds in that group with the audio communication channel for that group.

Ground 2 (Gogic-Opitz) – Claim 3, Element 3[a]

3[a] The method of claim 1, further comprising: accessing a database to identify a plurality of members of an emergency response team that includes the user of the mobile communication device; and

- As described for claim 2, Gogic discloses a database identifying the plurality of members of each ad-hoc group that includes the user of the mobile communication device.
- Each ad-hoc group comprises members of an emergency response team:

between Dispatcher 226 and CM 218. CM 218 in turn controls formation of the ad-hoc group of users when inclusive to the location-based membership criteria, hence security aspects of such a formation will be driven solely by secure access to CM 218 functions related to this application by authorized and trained persons only (e.g. Police, Emergency Crews, Fire Dept. personnel, etc.), in addition to the

Ex[1006] (Gogic) [0056].

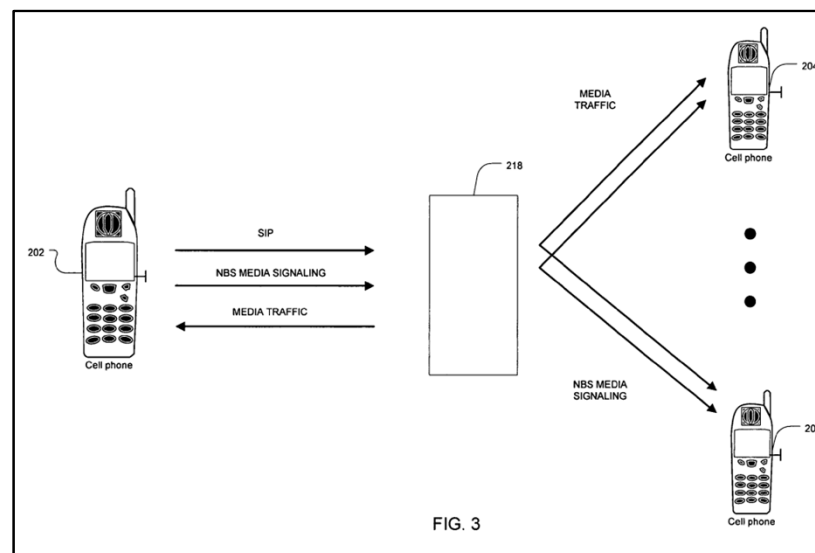
Ground 2 (Gogic-Opitz) – Claim 3, Element 3[b]

3[b] presenting a plurality of available video feeds on the display of the mobile communication device, the plurality of available video feeds including video streams associated with the plurality of members of the emergency response team.

- In Gogic, each CD has a “display” for presenting video feeds. Ex[1006], [0035].
- Each CD can transmit video feeds for display to other members of the team.
- By 2008, it would have been obvious that a mobile device could have displayed multiple video feeds, for example in an emergency requirement review of multiple available video feeds.

to the other group members. Each group member receives communications from other group members over the common channel.

Ex[1006] (Gogic) [0045].



Ex[1006] (Gogic) FIG. 3.

Ground 2 (Gogic-Opitz) – Claim 4

4 The method of claim 3, wherein the available video feeds are sourced from a group of surveillance cameras.

- Gogic discloses that a CD can be a separate “wireless video camera,” which is a type of surveillance camera, or at least renders use of a surveillance camera obvious.

munication devices (CD) 202, 204, and 206. In the present example, CDs 202, 204, and 206 are terrestrial wireless telephones. In other embodiments, the various CDs may comprise wireless video cameras, still cameras, audio

Ex[1006] (Gogic) [0035].

Ground 2 (Gogic-Opitz) – Claim 5

5 The method of claim 1, wherein the communication channel is a Push-To-Talk (PTT) channel in a PTT communication network and the mobile communication device is a PTT radio.

- Gogic discloses claim 5 under any party's construction.
- As described for limitation 1[a], the communication channel in Gogic is a PTT channel for transmitting half-duplex communications in a PTT network. Ex[1006], [0026].
- Gogic further discloses that a CD can be a PTT radio:

[0042] In one embodiment of the present invention, the CD is configured to request the transmission privilege through initiation or activation of a push-to-talk (PTT) key or switch. When a user of a CD in communication system

Ex[1006] (Gogic) [0042].

Ground 2 (Gogic-Opitz) – Claim 8

8 The method of claim 1, wherein the communication channel is associated with a Virtual Talk Group (VTG).

- In Gogic, the communication channel is associated with an ad-hoc group, which is a virtual talk group that is not “pre-defined” and consists of any and all users in the vicinity of, for example, an emergency incident.

members within their own group. In yet other situations, groups may not be pre-defined, but they can be formed in an ad-hoc fashion, typically by a user who invites other users to the ad-hoc group one at a time. Upon termination of the

Ex[1006] (Gogic) [0034].

Ground 2 (Gogic-Opitz) – Claims 9 & 10

- 9** The method of claim 1, wherein providing access to the video feeds depends on a video association policy.
- 10** The method of claim 9, wherein the video association policy includes a role of the user defined in a policy database.

- The '830 patent does not use the term “video association policy,” but Gogic discloses the type of video feed association described in the '830 patent.
- Gogic’s CM 218 associates video feeds with communication channels for users with particular roles (e.g., whether they are “authorized and trained persons” such as police:

between Dispatcher 226 and CM 218. CM 218 in turn controls formation of the ad-hoc group of users when inclusive to the location-based membership criteria, hence security aspects of such a formation will be driven solely by secure access to CM 218 functions related to this application by authorized and trained persons only (e.g. Police, Emergency Crews, Fire Dept. personnel, etc.), in addition to the authorized network operator personnel. Aside from the

Ex[1006] (Gogic) [0056].

- For the same reasons described for claim 9, Gogic discloses claim 10, and Gogic discloses storing information relating to the role of each user in a “policy database.”

Pet. at 74; Ex[1002], ¶¶185-87; Ex[1006], [0050].

Ground 2 (Gogic-Opitz) – Claim 11

11[a] The method of claim 1, further comprising: identifying a geographical location of the user's mobile communication device using a Global Positioning System;

- Opitz discloses that the radio can include a “position locator” that can use GPS to determine the position of the radio.

In some embodiments, the position locator 244 can use a combination of methods and/or devices to determine the location of the scanner 136, or at least the receiver 232. For example, in some embodiments the position locator 244 can use a GPS system in addition to, or in concert with, the signal

Ex[1007] (Opitz) 6:12-17.

- It would have been obvious to combine Opitz’s GPS locator with the CDs of Gogic, as Gogic’s CDs can “calculate their location,” and one known way to do so would be to implement CDs with a “position locator” including GPS.
- A POSITA would have had a reasonable expectation of success in making this combination, as GPS was a common and widely implemented method of determining location of a device by 2008.

Ground 2 (Gogic-Opitz) – Claim 11

11[b] identifying that the at least one video feed is associated with the geographical location; associating the at least one video feed with other mobile communication devices set to the same channel as the user's mobile communication device; and automatically rendering access to the at least one video feed to the other mobile communication devices.

- In Gogic, the at least one video feed is associated with an ad-hoc group defined by “group membership location criteria.”

[0058] In another embodiment of the present invention, dispatcher 400 also specifies a group membership location criteria such as region or location criteria defining the inclusive boundary of users that are invited to join the group. By way of example and not limitation, representative location criteria may include a location centerpoint and an

Ex[1006] (Gogic) [0058].

- A POSITA would have understood that implementing the GPS functionality of Opitz in Gogic could be used to identify the “centerpoint” and thus the combination would identify the video feed associated with the geographical location.
- As discussed for limitation 1[e], each member of the ad-hoc group within the group membership location criteria that accepts the invitation to join the group is granted access to the communications of all other members, including the at least one video feed provided by the video-capable CDs in the group.

Ground 2 (Gogic-Opitz) – Claim 12

12 The method of claim 1, wherein the selected communication channel is a selected audio communication channel that is selected from a plurality of audio communication channels, the at least one video feed being associated with the selected audio communication channel, and the user policy identifying the one or more video feeds that are relevant to the user when the user accesses the selected audio communication channel.

- As described for claim 2, Gogic discloses that a CD user selects an audio communication channel via the PTT button because it allows for audio communications between members of a VTG.
- As described for limitation 1[e]:
 - an ad-hoc group can include audio devices with video feeds, accordingly a video feed is associated with the selected audio channel; and
 - the user policy for forming the ad-hoc group identifies the video feeds relevant to the user (in the defined geographic zone) at the time (when) the user accesses the communication channel for that ad-hoc group.

Ground 2 (Gogic-Opitz) – Claim 13

13 The method of claim 1, wherein the user policy associates the at least one video feed with the selected communication channel based on the geographic zone from which the at least one video feed is sourced and a device group that includes the user's communication device.

- As described for limitation 1[e], the user policy for forming the ad-hoc group identifies the video feeds in the defined geographic zone.
- CM 218 also considers the role of the user (a device group) in granting access to the ad-hoc group (and its associated video feeds).

between Dispatcher 226 and CM 218. CM 218 in turn controls formation of the ad-hoc group of users when inclusive to the location-based membership criteria, hence security aspects of such a formation will be driven solely by secure access to CM 218 functions related to this application by authorized and trained persons only (e.g. Police, Emergency Crews, Fire Dept. personnel, etc.), in addition to the authorized network operator personnel. Aside from the

Ex[1006] (Gogic) [0056].

Ground 2 (Gogic-Opitz) – Claim 14

14 The method of claim 1, wherein the user policy associates the at least one video feed with the selected communication channel by comparing a first geographic zone from which the at least one video feed is sourced with a second geographic zone corresponding to a location of the user's communication device.

- Gogic's user policy for forming the VTG identifies CDs (including video feeds) in an area around a "centerpoint."

[0058] In another embodiment of the present invention, dispatcher 400 also specifies a group membership location criteria such as region or location criteria defining the inclusive boundary of users that are invited to join the group. By way of example and not limitation, representative location criteria may include a location centerpoint and an

Ex[1006] (Gogic) [0058].

- A POSITA would have understood that in some cases (e.g., a user is experiencing an emergency at a location), the centerpoint would be a user's location.
- The area around the user (second geographic zone) is compared to the area of the video feed (first geographic zone) to determine if the video feed will join the group.

Ground 1 (Shaffer-Saylor) – Claim 15

15[pre]: An apparatus	Gogic's "system." Ex[1006], Abstract, [0003]; Ex[1002], ¶199.
15[a]: at least one processor	Gogic's processor for either the CDs or the CM. Ex[1006], [0071]-[0072]; Ex[1002], ¶200.

Pet. at 78; Ex[1002], ¶¶199-200.

Ground 1 (Shaffer-Saylor) – Claim 15

15[b]: <u>a memory in communication with the at least one processor</u> , the memory being configured to store a video stream association module executable by the at least one processor, the video stream association module being executed by the at least one processor to cause operations to be performed	Gogic's memory for its CDs and CM. Ex[1006], [0072]; Ex[1002], ¶¶201.
15[b]: a memory in communication with the at least one processor, the memory being configured to store <u>a video stream association module</u> executable by the at least one processor, the video stream association module being executed by the at least one processor to cause operations to be performed	Non-MPF Limitation: The memory in Opitz's mobile device and Gogic's CD and CM store a video association module for performing the recited operations. Ex[1002], ¶¶202-04.
15[b]: a memory in communication with the at least one processor, the memory being configured to store <u>a video stream association module</u> executable by the at least one processor, the video stream association module being executed by the at least one processor to cause operations to be performed	MPF Limitation: Gogic in view of Opitz discloses the elements of the video feed association module. Ex[1002], ¶¶205-06.

Ground 2 (Gogic-Opitz) – Claim 15, Elements 15[c]-[i]

- For the reasons provided above and for claim 1, a POSITA would have found limitations 15[c]-[i] obvious in view of Gogic-Opitz.

Ground 2 (Gogic-Opitz) – Other Challenged Claims

- **Dependent Claims 16-19, 21-22, and 24**
 - For the reasons described for claims 2-5, 8, and 11, respectively, Gogic discloses the additional limitations of claims 16-19, 21-22, and 24.
- **Dependent Claim 23**
 - For the reasons described for claims 9 and 10, Gogic discloses the additional limitations of claim 23.

Ground 2 (Gogic-Opitz) – Dependent Claims

- PO does not present arguments for the dependent claims in Ground 2 beyond its arguments for independent claims 1 and 15.
- The POR string cites Dr. Akl's testimony opining that Gogic does not disclose "accessing a database to identify a plurality of members of an emergency response team that includes the user of the mobile communication device" in claims 3 and 17.
- Because the POR does not include these arguments, Dr. Akl's opinions should not be considered. See 37 C.F.R. § 42.6(a)(3) (prohibiting incorporation by reference).